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EVERY WEEKDAY

Nato uses rebel intelligence



The KLA is helping to spot Serb tanks and artillery for Nato's pilots, writes Anthony Loyd in Skopje

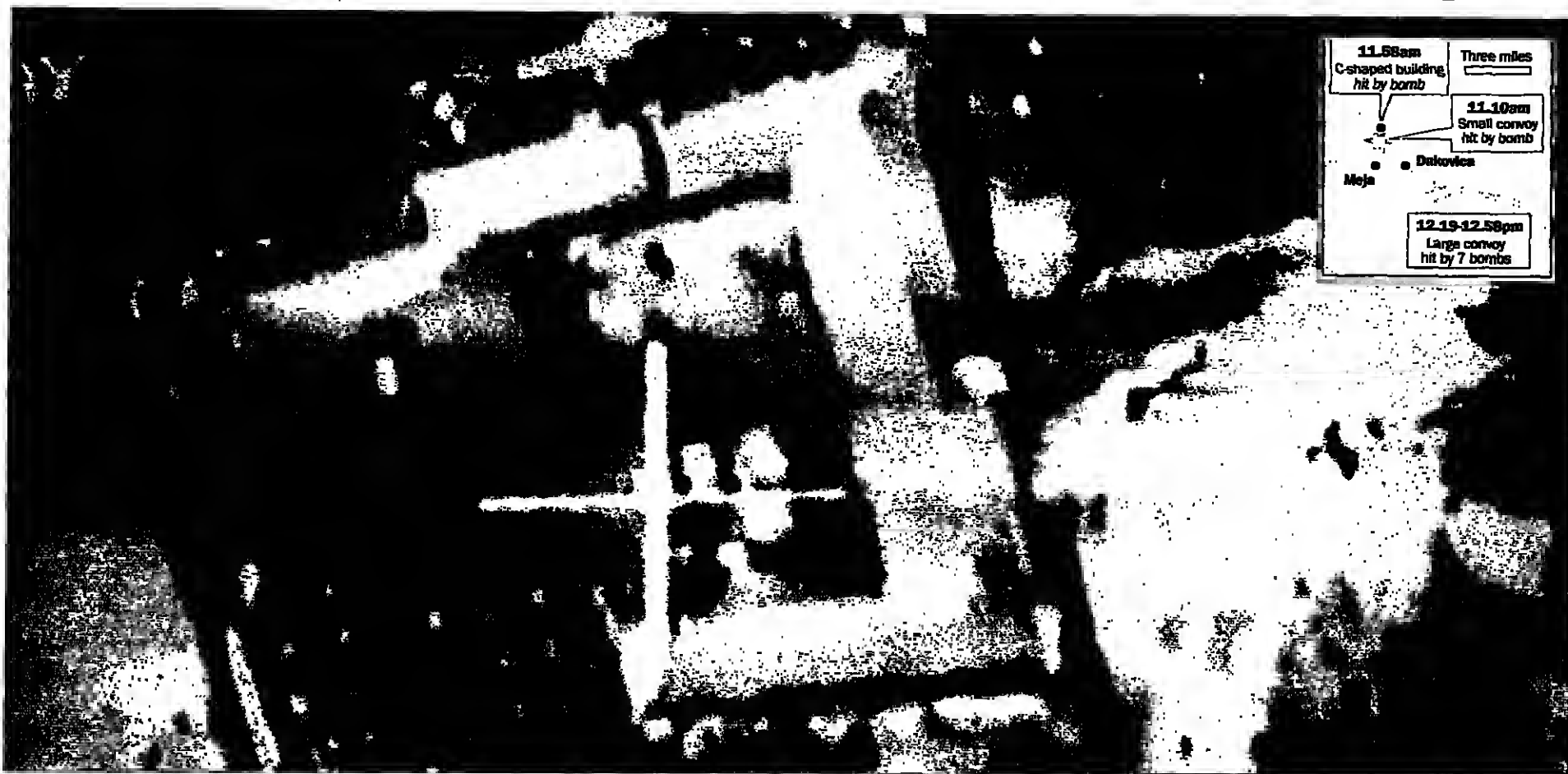
NATO is using intelligence supplied by the Kosovo Liberation Army on the ground to help its planes to locate and destroy Serb positions in the war-torn province.

Despite repeated claims by Nato that it has no formal links with the rebel fighters, *The Times* has witnessed how the rebel fighters, using satellite telephones, are providing detailed reconnaissance for Nato bombers. The intelligence is passed to Western "handlers" who relay the targets to the alliance, enabling Nato to claim that it has no "formal links" with the rebels.

In one exchange this week Sokol Bashota, a member of the KLA general headquarters staff, sent an urgent message from Berisa mountain, 22 miles west of Pristina, giving the location of Serb tanks and artillery around the villages of Orlate, Kisna Reka and Trpeze. The voice on the satellite line sounded tinny, disembodied and stressed and the information may well have been monitored by the Serbs, but there was no mistaking the urgency of the call.

"There is no escape for anyone in this area... the Serbs are attacking us from three directions and have forces to the south... we are trapped and need Nato's help... we have 40,000 civilians plus on the mountain... many have been living under open skies for three weeks now... no medical supplies... shelling... need urgent Nato intervention..."

However, it will be many hours, at best, before Nato jets react to the call. Because of the



The aerial picture, above, of Nato's attack on a civilian target at Meja, supplied at yesterday's briefing and, right, damage on the ground

WAR REPORTS

■ Britain proposed that Kosovo should become an international protectorate in a hardening of Nato's war aims. Robin Cook, after consultations with other Alliance ministers, told the Commons that the international community would now have to accept a more direct responsibility for Kosovo than was envisaged at the Rambouillet peace conference. Debate... 5, 9

■ America and its allies appeared to be heading for a clash over calls for a naval oil blockade. Nato air-

strikes have destroyed 70 per cent of the Serbs' oil stocks, and America wants to tighten the screw, but Britain has made it clear that a blockade would not be practical or legal... 7

■ "The dispossessed refugees of Kosovo will be brought back into possession of that which is rightfully theirs. Our determination... is absolute," Tony Blair's message yesterday to Slobodan Milosevic... 9

Letters... 25



"handlers". Most have previous military experience, and have all worked inside Kosovo before the airstrikes. Sunday's conversations included details of heavy fighting throughout the day as the Serbs, taking advantage of low cloud cover, corralled tens of thousands of refugees down

from the hills onto roads using tank and anti-aircraft fire. As well as the attack on Berisa mountain, KLA commanders spoke of a vast column of refugees, including many wounded and dying, stretching for 12 miles along the road from Podujevo to Pristina. "The guys we are speaking to

accept that we're doing the best we can to relay their information and that that is our role," one of the handlers said. "It isn't as if we can jump into a cockpit and fly the strike missions ourselves. The fact their command and control still exists is significant."

Britain revamps media strategy

By Roland Watson and Charles Bremner

NATO last night offered its fullest explanation yet of the bombing of civilian refugees as Downing Street's new influence over the alliance's media strategy began to take hold.

In an attempt to draw a line under the most damaging incident of the four-week campaign, Nato admitted for the first time that its jets had attacked two separate convoys last Wednesday.

The admission was delivered in unprecedented fashion by US Brigadier General Daniel Leaf.

His testimony marked an attempt by Nato chiefs in Brussels to make a clean breast of the incident which has been marked by confusion since last Wednesday.

The strategy was pieced together with Alastair Campbell, the Prime Minister's press secretary, who moved to Nato centre stage yesterday.

His involvement, which is likely to continue throughout the conflict, came as the Government took a lead in bolstering the alliance's communications strategy.

One Downing Street official, Julian Braithwaite, No 10's foreign affairs press officer, has been seconded indefinitely to Nato.

Other Whitehall officials are likely to follow, and Mr Campbell wants other Nato governments to help beef up the communications team.

Mr Campbell was called in last week by Javier Solana, Nato secretary general, and Jamie Shea, the alliance's London-born spokesman, to advise on strategy.

The growing involvement of Mr Campbell reflects unease both in London and in Brussels at the shortcomings in Nato's communications strategy, particularly following the bombing of the civilian convoy last week.

Marlboro Man rides off into a smoke-free sunset

FROM DAMIAN WHITWORTH IN WASHINGTON

AMERICA will never look quite the same again. Marlboro man and Joe Camel, for decades landmarks of the US skyline and popular culture, have been banished.

Within two days all giant billboards promoting cigarettes will have been consigned to the ashtray of advertising history.

Under the financial settlements between the tobacco industry and the American states to cover the health costs of smoking related diseases, the huge cigarette advertisements, which have dominated billboards for decades, were outlawed and ordered to be torn down by midnight on Thursday.



The removal is transforming the scenery along the nation's highways. The tobacco industry, aware that it would soon be banned from the airwaves, voluntarily stopped advertising on radio and television in the early 1970s.



No butts Joe Camel and Marlboro Man are banned

It then poured millions of dollars into erecting the towering hoardings. By the 1980s a third of outdoor advertising was for tobacco products. In recent years it has fallen off, but still accounts for 9 per cent of the



industry's \$2.33 billion (£1.5 billion) revenues. For a quarter of a century from 1941 the Camel billboard in Times Square emitted smoke signals through an ingenious device behind the hoarding. Marlboro Man,

who last week was voted the most significant icon of the century by the American trade magazine *Advertising Age*, has come to dwarf motorists, most famously above Sunset Strip in West Hollywood where he was 64ft high.

Not only must the advertisements come down, but while the companies are still paying for the billboards — in many cases until the end of the year — anti-smoking messages will be displayed. In some cases Marlboro Man is replaced by a sign that says that second-hand smoke sends 100,000 babies a year to hospital.

The owners of the hoardings are putting a brave face on it. "Overall we'll lose 10 per cent of our annual income. But that's okay. It's for the best," said one.

INSIDE

Neo-Nazis planted bomb

A MAN claiming to represent the neo-Nazi Combat 18 organisation yesterday took responsibility for the Brighton nail bomb attack (Stewart Tendler writes). The claim was made in a 1999 call at dawn from a telephone box in Well Hall Road, Eltham, south London. The box is a few hundred yards from the spot where Stephen Lawrence was stabbed to death by a gang of white youths six years ago. The man told police: "This is Combat 18. We claim responsibility for yesterday's bomb." If the group is responsible it would be mark a new level of violence for the tiny organisation which Continued on page 2, col 5

Right wing celebrates

JUBILANT supporters celebrated the strong election performance of Turkey's ultra-right Nationalist Action Party, running second to Bülent Ecevit's Democratic Left Party... 16

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Ulster's silent bystanders see a bleak future

Martin Fletcher reports on how last year's optimism has turned to apathy over stalled Good Friday accord

ONE year ago a remarkable 675,966 Northern Ireland voters marched to the polls to record their overwhelming support for the Good Friday peace accord. Today they are silent bystanders as the accord threatens to collapse.

Last May 71 per cent of a near-record turnout backed a deal to end 30 years of conflict and restore self-government for the first time since 1974. Today their optimism has turned to weary resignation.

One of the paradoxes about Northern Ireland is that the common man is uncommonly well informed about politics, but very reluctant to become politically engaged.

Politics here is highly polarised, highly adversarial and often dangerous. Party membership is half the British average. Before last year politicians had singularly failed to deliver, and the great majority of people had given up on them. Now it seems that after that short period of hope they are turning off once more.

The stakes for the province are huge, but there have been no pre-accord rallies outside Stormont, no clarion calls from civic leaders, no popular petitions and no flood of letters to local newspapers. It has always been easier to whip up opposition than support in Northern Ireland, and the only significant political demonstrations in recent weeks have been mounted by the accord's opponents.

The Women's Coalition and two other small political parties recently paid £7,000 for 30 purple billboard posters declaring "The Good Friday Agreement - It Can Work. It Will Work. Make It Work". In March the local CBI, Trade Union movement and Council for Voluntary Action persuaded 200 businesses and other groups to sign a letter encouraging the politicians to "complete the transition to a normal and democratic society". But that is about all.

DEADLOCK REMAINS

Tony Blair and Bertie Ahern, the Irish Prime Minister, failed to break the deadlock over IRA disarmament during five hours of intense talks at Downing Street yesterday, but agreed that suspending the Good Friday accord over the summer was too dangerous. They held successive meetings with the leaders of the Ulster Unionist Party, Sinn Féin and the nationalist SDLP, but Mr Ahern conceded afterwards that little progress had been made.

He said that the Unionists and Sinn Féin would both have to make concessions to end the impasse caused by the IRA's refusal to start disarmament and David Trimble's refusal to admit Sinn Féin to government until it does. The two Prime Ministers will convene another round of talks next week.

At a time when the Government needs maximum pressure put on the province's political leaders there is very little. "There's a dull acceptance of fate," said a senior member of the editorial team of the *Belfast Telegraph*. "There's a silence as people sit back and wait to see what happens next."

People felt "really powerless", said Quintin Oliver, the lobbyist whose "Yes Campaign" helped to generate last May's 81 per cent turnout. Some had succumbed to "apathy and disillusion". Others were clinging to a "naïve optimism" that the peace process

would surmount this crisis as it had so many others.

The people of Northern Ireland have seen umpteen peace initiatives founder over the past three decades. "We were able momentarily to mobilise people into a vote last year, but people are now thinking its real struggle time," Mr Oliver said. "The weariness is now writ larger because of the expectations and hope engendered last year. In some ways the distance from the political process is greater because they elected people last June and those people have not been engaging with them on bread-and-butter issues."

Another reason for the lack of public pressure is that the people are as divided as the politicians in their interpretations of the accord. Most Protestants side with Unionist demands for IRA disarmament before Sinn Féin can join an executive. Most nationalists believe the executive should be formed immediately. "The public also want a settlement on their terms. That makes it hard for the public to unite," said Seamus McAleavey, director of the Northern Ireland Council for Voluntary Action.

That lack of unity is compounded by the even deeper split within Unionism. Polls suggest that after a year in which 260 terrorist prisoners have been freed without any reciprocal gesture from the IRA, a majority of Unionists now oppose the accord. The *New Letter*, Northern Ireland's Unionist newspaper, is receiving six letters against the accord for every one that supports it, and most of those are from political activists.

A full year after the accord was clinched it remains unimplemented. It is now increasingly likely that Northern Ireland will have to suffer the embarrassment of watching London devolve power to Scotland and Wales first.



Cardinal Basil Hume makes his first public appearance yesterday since announcing that he is dying of cancer. He celebrated a Requiem Mass for the former Bishop of Brentwood, Patrick Casey, at Westminster Cathedral.

NEWS IN BRIEF

Lawrence suspects charged

Two of the men suspected of the murder of Stephen Lawrence were charged with burglary after police were called to a commercial depot at Swanley, Kent.

David Norris, 22, from Chislehurst, southeast London, will appear before magistrates today. Jamie Acourt, 23, from Eltham, also southeast London, was released on police bail. A third man, Daniel Caetano, also 23, from South London, was also charged with burglary and freed on police bail.

The three are accused of stealing 32 cases of empty soda siphons worth £224 from the depot. Two weeks ago Mr Norris and Mr Acourt took part in television interviews with the other three suspects to protest their innocence over the murder of Stephen Lawrence six years ago.

MP must wait to resume seat

Fiona Jones, the Labour MP cleared of falsifying her election expenses last week, must wait for a High Court ruling before she can resume her seat in the House of Commons. In a statement to the House yesterday, the Speaker, Betty Boothroyd, said that although Mrs Jones's conviction had been quashed, it was up to the High Court to decide her fate. Miss Boothroyd said it would be "desirable... to avoid this kind of situation in future".

Brown facing fuel duty revolt

Gordon Brown faces a revolt by Labour MPs unless he abandons plans to raise petrol prices by 6 per cent above inflation. The Chancellor will today come under fresh pressure to abandon the fuel duty escalator, which has made Britain's fuel prices the most expensive in the European Union. MPs are preparing to challenge him today when the Finance Bill containing his Budget measures comes before the Commons.

Husband on murder charge

Dennis Day, 55, a teacher, appeared before magistrates at Haverfordwest, Pembrokeshire, charged with the murder of his wife Ann, 47, who disappeared last week after going for a walk with her dog. He was remanded in custody. Dyfed-Powys Police began a search last Wednesday after Mrs Day, a mother of three, and deputy head of a primary school, was reported missing. Police said that the search was continuing.

John McCarthy gets married

John McCarthy, 43, the journalist held hostage in Beirut for five years, was married to Anna Otewill, 32, a BBC publications editor, at St Mary's Church in Bepton, West Sussex. Jill Morrell, his former girlfriend, was not present. Among the guests were Mr McCarthy's fellow Beirut captives Terry Waite, Brian Keenan, Terry Anderson and their wives. Mr Waite said: "It was a perfect day — just as the couple wanted it to be."

Land Planning Associates

Land Planning Associates (article, Weekend, February 13) of Thurston, Suffolk, asks us to make clear that its Town and Country Property Plan is not a "get rich quick" scheme and nor does it exploit planning loopholes or target areas where there are dormant development plans. It is designed to maximise the development potential of land in approved areas and offers protection from demand for development of land claimed as open countryside.

CORRECTION

The Museum & Galleries Commission's new website is www.museums.gov.uk (report, April 15).

Tories fear welfare revolt

By ROLAND WATSON
POLITICAL CORRESPONDENT

SENIOR Conservatives yesterday warned the party leadership not to abandon the search for private money to fund Britain's welfare state.

Their fears surfaced after the mould-breaking message delivered by Peter Lilley that it was time for the Tories to accept the free market had only a limited role to play in the health and education systems.

Tory MPs reacted to his remarks, to be fleshed out in an address tonight, with a mixture of unease and alarm.

Mr Lilley's speech, which had not been discussed at Shadow Cabinet, is seen by Tory strategists as a crucial step in rehabilitating the party among the voters of Middle England.

In her speech to last year's Tory conference, Ann Widdecombe spoke of the need to "break down the Berlin Wall" between the public and private sector.

One senior MP warned that if the new Lilley doctrine meant any backtracking on those ideas, William Hague would face a party revolt.

Report on PC's killing calls for police training

By ALEXANDRA FREAN, SOCIAL AFFAIRS CORRESPONDENT

POLICE officers should be given special training in dealing with mentally ill people who are known to be violent, a report into the killing of a young woman police officer recommended yesterday. The report into the death of PC Nina Mackay, 25, in October 1997 criticised the police, social workers and the National Health Service.

PC Mackay was stabbed to death by Magdi Elgizouli, a paranoid schizophrenic, when she used a hydraulic ram to batter down the door of his flat in Stratford, East London, after he had jumped bail for an earlier offence. Elgizouli, 30, was detained indefinitely at Rampton hospital last year after being found guilty of manslaughter.

The independent inquiry team found that Elgizouli had been granted bail ten days before he killed PC Mackay, despite having a history of violence and severe mental illness.

While accepting that police

acted in "good faith", the report questioned why the Armed Territorial Support Group, of which PC Mackay was a part, was sent to arrest Elgizouli without first gaining sufficient information about his background.

The inquiry criticised social services for failing to provide adequate housing and support for Elgizouli and the health services for failing to pass on vital information about his mental state to GPs when he moved. It recommended that the police undertake a review with health and social services of how to respond to potentially violent mentally ill people.

Sally Reiter, director of public health for Kensington and Chelsea and Westminster Health Authority, said all the agencies involved accepted the report's recommendations. "We have a duty to [PC Mackay's family] and to Mr Elgizouli and his family to try to ensure such tragedies are prevented," she said.

Neo-Nazis admit bombing

Continued from page 1

has specialised in attacks and threats against liberal politicians and celebrities. As police began investigating the call senior detectives revealed that the bomb was made with 6 to 10lb of nails up to six inches long. Thirty-nine people were taken to hospital after the attack at the edge of a street market, and yesterday 15 were still receiving hospital treatment including two men who could lose their sight.

Combat 18 was formed in 1992 from the internal security wing of the British National Party. It takes its name from the initials of Adolf Hitler's name, and members have been jailed for violent attacks and racist literature.

Yesterday Deputy Assistant Commissioner Alan Fry, head of Scotland Yard's anti-terror-

ist branch, said the call could be a hoax or an attempt by Combat 18 to court publicity but the claim was being investigated. He said that many possible suspects were still being considered and nothing had been ruled in or out.

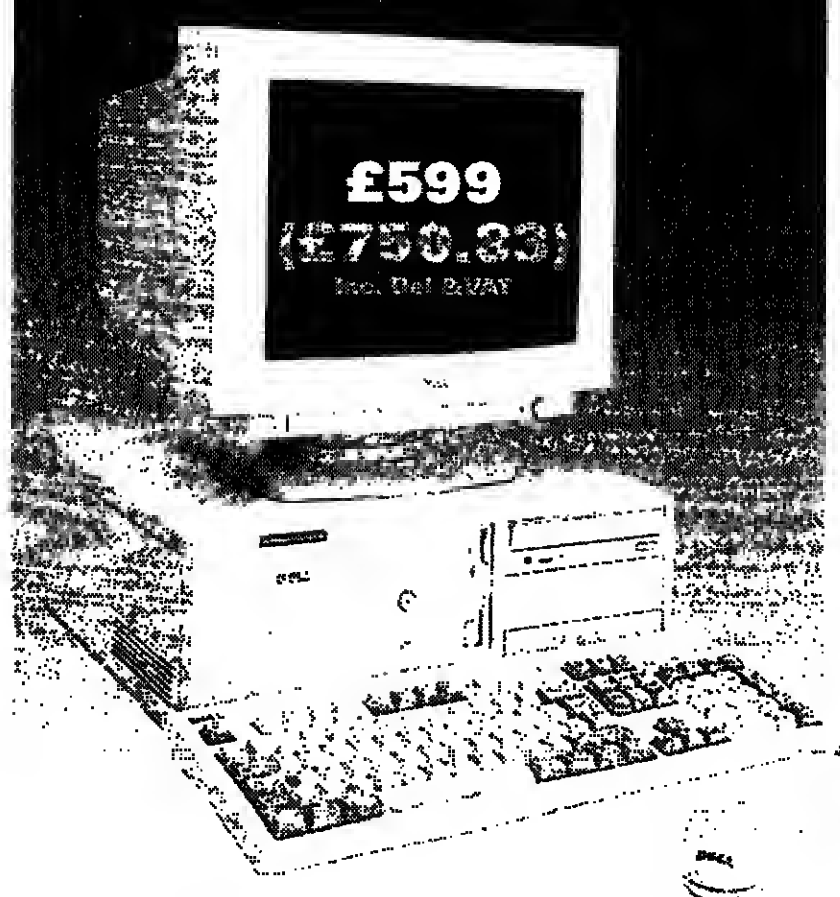
He said: "This call should be taken with extreme caution. It is a line of inquiry and it is being taken very seriously but there is no evidence or intelligence at this time which supports the claim." Mr Fry said Combat 18 had been linked to activities in south London including the Eltham area but not to Brixton.

Commander Hugh Orde, in charge of crime operations in south London, said extra police patrols are being put on the Brixton streets to reassure the public.

The bomb was made with

two sandwich boxes. One held a timer and explosive made from black powder and the other held the nails. Police have recovered a black Head holdall with fluorescent green writing in which the device was hidden.

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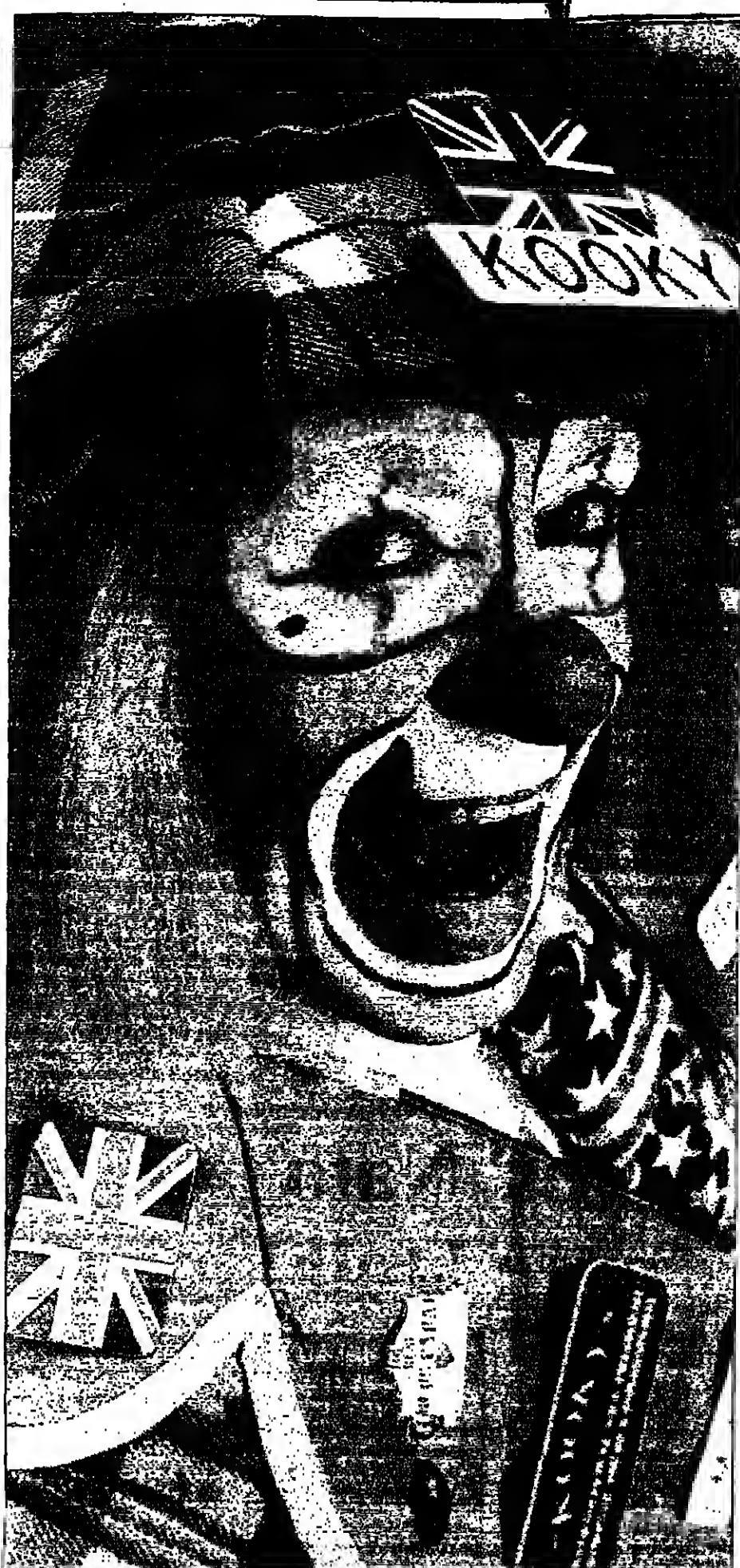
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Beneath the make-up: British entertainer Andy Stevens, honoured by American clowns

Party joker is crowned clown prince of world

By SIMON DE BRUXELLES
SOUTH WEST CORRESPONDENT

HE DOES not juggle, ride a unicycle, walk on stilts or throw custard pies, yet Kooky the Clown has won the ultimate accolade in the serious world of clowning. The children's entertainer from Wiltshire, who has yet to become a household name outside his village, was yesterday awarded the title International Clown of the Year.

Andy Stevens, 56, impressed judges from the US-based World Clown Association with off-the-cuff humour forged at children's birthday parties across the West Country.

It is the first time that the title has gone outside America, where clowning is no laughing matter. Every major city has an annual "Clown Alley", when local performers get the chance to put on their make-up and costumes and make fools of themselves.

Mr Stevens, a grandfather, has been a regular visitor to clown conventions and clown training camps in America since he first donned the red nose and orange wig more than 30 years ago.

His public appearances in Britain have largely been confined to church fetes and village carnivals, where Kooky made his debut in 1966. That was when Mr Stevens discovered he a gift for impromptu humour.

He said: "I was carrying an umbrella with big round holes in it and everyone wanted to know why. So I told them, 'How else will I know when it starts raining?'"

The jokes have not improved since, which is why Kooky's audiences are mostly aged between three and seven. He arrives at each engagement in his



Grimaldi, Britain's first clown, and Karl Brenner, its last slapstick artist

old Volvo estate dressed in full clown costume and heavy make up. Fellow motorists look startled but the children start laughing the moment that the first 18in bulbous red nose emerges from the car and do not stop until two hours later, when he packs up to go home to Easterton.

Last year Mr Stevens became the first and only clown to be honoured by the Guild of Master Craftsmen, which usually recognises the work of carpenters, farriers and other traditional trades. The latest award is the crowning moment of his career as a clown.

Mr Stevens said: "I am chuffed to bits to win this award. It is the ultimate accolade for any clown. The judges have seen me in action over the years in front of the children in the States and they also know I do a lot of work for clowning. It is fantastic to be



the first non-American clown to win the award because clowning is just so much more popular over there. Americans love to go all out on everything—Halloween, Christmas, birthdays. Here in Britain we do suffer a lot more from the old stiff upper lip."

In the clowns' lexicon, Kooky—pronounced Cookie—is an *ouguiste*. The name comes from Berlin slang for a fool and is part of a tradition that can be traced back through the street entertainers of the Middle Ages to the theatres of ancient Greece and Rome.

Mr Stevens is a self-taught clown, unlike many of his American counterparts, who are trained to perform every trick and to act out well-rehearsed routines.

He said: "I never rehearse because I always ad lib. I had to give a performance at a clown convention in the

States and when I went on stage I had absolutely no idea what I was going to do. I ended up giving a performance with one balloon that lasted 20 minutes and had them in stitches."

While some of his American colleagues enjoy performing for children "as long as they don't get too close", for Mr Stevens the rapport with his audience is what makes the job worthwhile.

He said: "Entertaining is fun and entertaining children is the best job in the world. I have always taken my clowning seriously but I don't know if it's true that underneath the make-up most clowns are sad. I've certainly never met a rich one."

"The only time I am miserable is when I'm away from clowning. Then I get withdrawal symptoms."

As Mr Stevens' flat fee of £80, plus travel expenses, includes the hour that it takes to transform himself into Kooky with the help of theatrical "slap", he cannot be said to be laughing all the way to the bank.

For the past nine years he has been overseas director of the Clowns of America International, advising the organisation's 300 British members.

He is confident that there is a rosy future for clowning, even though circus in Britain have been severely curtailed by animal rights campaigners. "There are many more clowns around than when I started out in the 1960s," he said.

"When I began, there was no one you could turn to tell you what to do. I had to make it up as I went along."

"Kids nowadays may be into computer games and videos but they still all love a clown."

Leading article, page 25

Three centuries of funny business

By ROBIN YOUNG

CLOWNING has always been an international business, but Britain can claim a fair share of its honours. Even our two most recent Prime Ministers come from circus families: John Major's father was a clowning trapeze artist and Tony Blair's grandfather was a circus entertainer.

The founding father of clowning in this country is acknowledged to have been Joseph Grimaldi. Despite his Italian name and family origins, he was born in

London in 1779, dying in 1837. His act completed the emergence of the modern clown from the Italian *commedia dell'arte*, which provided *Arlecchino* (Harlequin) in the 16th century with a grotesque costume that may be partly derived from medieval mystery plays.

Grimaldi is lovingly commemorated annually by a congregation of clowns at their own church, Holy Trinity, in Dalston, East London. Grimaldi not only laid the foundations of modern circus clowning but

also set the precedent for pantomime dames, a guise in which he was followed by his most accomplished pupil, Dan Leno.

To many, the greatest of circus clowns was Groucho (1880-1959), real name Adrien Wettach, who like many famous clowns was of Swiss nationality. They include Plo Nock, who died only last year, still performing at the age of 77.

Three generations of Nocks appeared in Mary Chipperfield's Circus at Pleasureland, Southport, for the summer of 1989,

which was Plo Nock's last appearance in England.

Other clowns popular in Britain were, like Grimaldi, of Italian origin. They included Luigi Folco, from one of Italy's most celebrated circus families, who became a star of Billy Smart's Circus; and Charlie Cairoli, who was a big hit with the *Cirque Medrano* in France (as Carletto) before his first appearance in Britain at the Blackpool Tower in 1939, where he stayed for the remaining 39 years of his career. It was a Briton, Don Saunders, who

was hailed as the new Groucho in Paris in 1956, while Alfie Austin, the son of a Victorian white-face clown, worked with the Russian-born Coco, Little Billy Merchant and Beppo (Johnny Stafford) in Bertram Mills's Circus, dying last year aged 96.

The last surviving slapstick clown in Britain, according to Don Stacey, the editor of *World's Fair*, a circus newspaper, is Karl Brenner, who worked with Coco and stars at Chessington World of Adventures. He is German.

Solicitor stole £150,000 from orphans' trust fund

Lawyer loaned stolen money to Dodi Fayed, reports Michael Horsnell

A CORRUPT Mayfair solicitor who loaned £163,000 to the late Dodi Fayed from money he had plundered from a trust fund for two young orphans was jailed for three years at the Old Bailey yesterday.

Michael Palmer, 61, whose clients included Prince Michael of Kent and Mohammed Al Fayed, is said to be a former M16 contact with a wide circle of friends including Lord Howe of Aberavon and Sir Leon Brittan.

Palmer pleaded guilty to 17 charges of conspiracy to defraud, theft, forgery and false accounting involving more than £250,000. He admitted siphoning £150,000 from the children's trust of which he was an executor and £100,000 from the estate of a close friend who had left his estate to a number of Aids charities after his death in 1994.

Palmer made two loans to Dodi Fayed, who died in the car crash in 1997 in which Diana, Princess of Wales, was killed. The money was loaned through Allied Stars, a film production company of which Palmer was a director. The first loan of £58,000 was repaid with interest, which Palmer kept and the second, of £105,000 was eventually paid on Mr Fayed's behalf.

There was no suggestion of any impropriety on Mr Fayed's part.

Palmer, of Moreton-in-Marsh, Gloucestershire, took the money from the estate of David and Jane Elton, of which he was a co-executor. In 1992 Mr Elton, who had lost his job as a director of Ultramar, the oil company when it was taken over by Lamsco, killed his wife and himself, leaving their two young children.

Anthony Hacking, QC, for the prosecution, told the court that Palmer's offences "were committed for personal gain after he got himself into financial difficulties because of his lifestyle and because his firm wasn't doing well".

Palmer, the court was told, had debts of up to £478,000, on

which he was having to make repayments of £25,000 a year.

The Elton estate administered funds of more than £2 million that had been left to the children, one of whom counted Palmer as a godfather. Mr Hacking said that the beneficiaries and co-executor of the estate were "kept in the dark" about the loans, but that some of the stolen money had been repaid by Palmer and his former firm, Palmer Cowen.

The court was told that, with some of the money he stole from the Elton children, Palmer made loans to Jamshid Hashemi Naini, a Conservative Party donor and international communist, who was jailed in December for 38 months after pleading guilty to fraud charges totalling £3 million.

As Hashemi's lawyer and director of some of the Iranian companies, Palmer is said to have found himself submerged in the world of espionage, liaising with M16 while Hashemi spied for Britain under cover of arranging weapons deals with Tehran.

The Serious Fraud Office mounted an investigation into the activities of both men during the summer of 1996. Palmer had been on bail, and Sir Gordon Reece, the former adviser to Baroness Thatcher, stood surety.

The court was told that at one stage Palmer had resorted to forgery to conceal his activities and told lies on behalf of a close friend, Phillippe Berthelon, who wanted to obtain a £120,000 mortgage on a flat in West London. Mr Hacking said that Palmer falsely declared M Berthelon to be earning £35,000 a year from employment with a company of which Palmer was a director.

Palmer secretly paid his M Berthelon £141,000 cash from the Elton estate, which was followed by a further £42,000 and other monies.

Mr Hacking told the court that Palmer had also stolen money from the estate of a friend, Geoffrey Roberts, who died in 1994, leaving Palmer, who was a trustee, £20,000 in his will. Mr Roberts, the court was told, also had £230,000 in a Swiss bank account known as the "birthday account". From that money he had wanted large bequests to go to three

Aids charities, but Palmer used his position to siphon off the money. The charities never received a penny.

Mr Justice Collins yesterday told Palmer: "It is always a tragedy to see someone like you in the dock having admitted serious dishonesty."

Many of Palmer's friends and clients had written to the court saying that they were astonished by his actions, which they described as acts of character. Palmer said that he had been greatly affected by the debilitating illness and death of M Berthelon, and wept as details were read to the court.

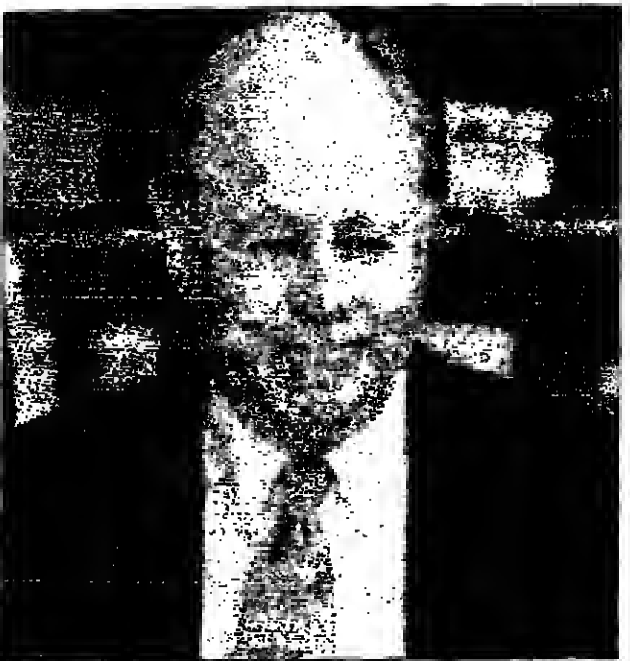
However, Mr Justice Collins said that Palmer's dishonesty had predated his friend's death. "Your business was in difficulties and not only did you have a business which needed shoring up, but also you had a lifestyle which you wanted to maintain and I am sure that is how the dishonesty arose," he said.

The court was told that Palmer, who shared his home with M Berthelon for several years until the Frenchman's death, was a lover of fine wine and had diverted 18 cases worth £6,000 from the estate of Mr Roberts's estate to his own cellar at his Gloucestershire farmhouse.

Palmer, who was also formerly the owner of a luxurious home in Central London, considered himself to be a connoisseur of art. But he enjoyed his status mostly as a pillar of the community, serving as a member of his parochial church council in Gloucestershire.

He was a friend of Michael Marshall, the Assistant Bishop of London, who said that he was "devastated" by the disclosure of Palmer's dishonesty. The solicitor also enjoyed his role as chairman of the Peckham Settlement, a southeast London charity for the poor.

The judge declined to make compensation and confiscation orders after being told that a large amount of money had been repaid and that the rest was likely to be repaid within three months.



Michael Palmer: he stole a total of £250,000

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BALKANS WAR: NATO BRIEFING

Nato's modern warfare secrets are revealed

NATO has made up for five days of confusion and obfuscation by providing what must be the most detailed explanation ever given of how an air raid in a modern battlefield environment is carried out.

Admitting for the first time that there were two separate airstrikes on April 14, and not the single laser-guided bomb claimed by Nato last week, Brigadier-General Daniel Leaf, commander of the air wing at Aviano air base in Italy, made it clear that the attacks on two targets northwest and southeast of the Kosovo town of Dakovica, occurred only after an extraordinary series of checks and counter-checks, and that a total of 13 manned and one unmanned aircraft were involved.

The complexity of the operation makes it more difficult to understand why Nato did not come clean on the day of the bombing. Although there were many details needing to be clarified, Aviano air-base would have known immediately that there had been a multiple sortie involved that morning.

Nato had a specially converted airborne command and control aircraft operating in the region which had been respons-

Michael Evans reports on the blow-by-blow account of the attack on the refugee convoy

ible for co-ordinating the airstrikes. This Hercules EC130 (ABCCC) was fully in the picture.

It had received all the information, issued orders to incoming bombers, and finally approved the decision to call off the strikes, once it had been finally confirmed that the targets being hit were not exclusively military.

While a full investigation was clearly needed — and General Leaf said he had had to interview every pilot — the decision to issue an interim statement, effectively owning up to only one hit and one target, caused confusion because it did not answer any of the obvious questions.

There remain a number of unanswered questions, but after General Leaf's compre-

hensive account of what happened on April 14, the focus of attention can now switch to the Serbs. Were Serb aircraft involved in strafing the convoy to make the Nato bombing look worse than it was?

Did the Serbs drop grenades from helicopters, as suggested by the American general, or hit the convoy with cluster bombs?

It seems likely that in the 24 hours the Serbs had to create a different scenario before the Western journalists arrived on a guided tour, they probably removed all evidence of military vehicles from the scene, especially those damaged or destroyed by the Nato bombing.

The problem for Nato is that after initially making the mistake of trying to limit the public relations damage by accepting responsibility for only one attack, the Serbs will now be in a stronger position to exploit the alliance's U-turn.

Nevertheless, a number of key facts emerged from yesterday's briefing, the most important of which was that the Nato aircraft operating as "forward air controllers" became convinced that they had struck lucky and had come across a major Serb military convoy. Their belief was backed up by



Brigadier-General Daniel Leaf at yesterday's briefing at Nato headquarters in Brussels demonstrates the size of a control screen on an F16 plane

the Hercules airborne command aircraft.

The most telling conversation was between the EC130 (ABCCC) and the American pilot of the F16 with the call sign Bear 31.

ABCCC: "Roger, we've just received word that it is a VJ (Yugoslav Army) convoy. Now copy."

Bear 31: "Great, give me all your players now. Saab, are you still airborne. (Saab was the call sign for two French Jaguars)."

ABCCC: "I want as many fighters as I can get now to that point."

The intelligence information had come principally from pictures taken by an American

Predator unmanned drone, whose photographs had been relayed to the Hercules, showing a 100-vehicle convoy, apparently spaced out in the manner of a military column. There was no sense of a ragged column of refugee vehicles. Perhaps this was a deliberate ploy by the Serbs to draw fire. It succeeded.

Over a period of 39 minutes, nine Nato aircraft were sent in to attack the convoy, although not all the planes, the Jaguars among them, succeeded in dropping their laser-guided bombs. Seven bombs were dropped.

It was not until two US A10s, flying more slowly and at lower altitude, arrived on

the scene, that the first warnings came that civilian vehicles were in the convoy. The A10 crews, looking through high-powered binoculars, issued a warning that this was not, after all, the target the whole of Nato had been waiting for — an exclusively military column driving down the road.

Serbs' Nato tape is 'pure Hollywood'

FROM TOM WALKER IN BELGRADE

MILITARY analysts yesterday ridiculed what they called "Top Gun" tapes played on Serbian state television that were said to be intercepted radio messages between Nato pilots in Kosovo and airborne command centres on Awacs surveillance planes.

Television and newspapers gave prominence to the crackling recordings, one of which featured an F16 pilot, uncertain of whether he was looking at refugees or military vehicles, being told to attack nonetheless, and another that captured a Nato pilot's mayday.

Experts with the Jane's Defence organisation said it was plausible that the Yugoslav Army had the technology to listen to the cockpit conversations of Nato pilots. But after hearing details of the two tapes they dismissed them.

Nick Cook, aviation editor of Jane's Defence Weekly, described the longer recording on Serbian television, purportedly of a hesitant F16 pilot involved in last week's disastrous Nato attack on a refugee convoy in southern Kosovo, as "pure Top Gun, borrowed straight from Hollywood".

The transcript of the tapes was published in the pro-Milosevic paper, *Vecernje Novosti*, which like most Serbian media is seeking to embarrass Nato in this, the alliance's 50th anniversary week.

In a city feasting on whippers and an ever more colourful rumour mill, it is widely believed that two captured Nato pilots will be paraded on Friday, Nato's birthday.

In *Vecernje Novosti's* account, the F16 flying over the Dakovica area in southern Kosovo is called "Charlie Bravo".

WHAT SHOULD I DESTROY? TRACTORS?

"Good day, I am in a position 80. No movement underneath. Please information on red MIGs," says Charlie Bravo.
"Hello Charlie Bravo, Mother here. Patrol towards northwest direction Prozer-Dakovica. There are no red MIGs in the air."
"Okay, I am going to 3,000 feet."
"Mother to Charlie Bravo, You get reinforcements in ten minutes. There will be something interesting south of Dakovica."
"Charlie Bravo to Mother, I am coming out of the clouds, still nothing in sight."
"Mother to Charlie Bravo, Continue to the north, course 280."
"Charlie Bravo to Mother, I am keeping 3,000 feet. Under me columns of cars, some kind of tractors. What is it? Requesting instructions."
"Mother to Charlie Bravo, Do you see tanks? Repeat, where are the tanks?"
"Charlie Bravo to Mother, I see tractors. I suppose the Reds did not camouflage tanks as tractors."
"Mother to Charlie Bravo, What kind of strange convoy is this? What, civilians? Damn, this is all the Serbs' doing. Destroy the target."
"Charlie Bravo to Mother, What should I destroy? Tractors? Ordinary cars? Repeat, I do not see any tanks. Request additional instructions."
"Mother to Charlie Bravo, This is a military target, a completely legitimate military target. Destroy the target, repeat, destroy the target."
"Charlie Bravo to Mother, Understand. Roger, Launching."

and its pilot is receiving orders from an Awacs called "mother" flying high overhead.

Paul Beaver, the Jane's Defence spokesman, said the tape was a "nice try", but that "even by American standards it is too theatrical". A pilot himself, he said cockpit messages were more sophisticated, and that the call sign system "was more discreet than that".

With equal scepticism, he had listened to a copy of Serbian state television's other F16 conversation, in which the pilot cries excitedly "eject, eject, eject" after his plane has apparently been hit.

Mr Cook said he had heard recordings of pilots' conversations in Bosnia, which were nothing like the Serbian television extracts. He also doubted that the electronic surveillance equipment used to pick up the conversations would have survived this long into the air-strike campaign. "I imagine

that sort of infrastructure would be high on Nato's list of targets."

Miroslav Lazanski, defence correspondent with *Vecernje Novosti*, insisted that he believed the tapes had been provided by reliable military sources. "We've got very good electronic warfare units," he said, "but the service is very secret." He said the Yugoslav Army used listening devices made by Britain's Marconi, Thomson of France, and Siemens of Germany. Most of it, he admitted, was at least eight years old.

Mr Lazanski said he believed that mobile electronic warfare units had "locked on to an F16 channel", possibly with the help of the Yugoslav Army's own surveillance aircraft. Again, Mr Cook had his doubts. "This aircraft would have been spotted instantly by Awacs and dispatched as quickly as possible," he said.

Buoyant KLA captures Russian 'mercenary'

FROM SAM KILEY IN KUKES

THE Kosovo Liberation Army, once considered an undisciplined, ragtag bunch, has begun to score battlefield successes, capturing enemy soldiers that yesterday included a Russian "mercenary".

Rebel commanders based in Kukes, boosted by the thousands of recruits who have been drawn to the KLA training camp near the town, said that they intended to "go on the offensive" over the next 72 hours in the west of Kosovo.

Between 400 and 600 KLA soldiers recently infiltrated western Kosovo and are expected to take advantage of increased Nato air bombardments to attack Serb positions on the ground.

They also hope that US Apache tank-busting helicopters, which are expected to enter the fray later this week, will give them valuable

airstrike capabilities against tanks and armoured vehicles. "The aim is that we will flush them out, and the tanks will blow them up," said a KLA commander yesterday.

Experienced units, many made up of former members of the Federal Yugoslav Army, have stepped up raids on Serb positions. From Tropeje, in northern Albania, they have cleared Serbs from a number of villages inside Kosovo.

Yesterday Luzim Bakalli, the KLA spokesman in Albania's capital, Tirana, said that three soldiers, including a Russian, who were captured last week would be handed over to Nato officials in the next few days.

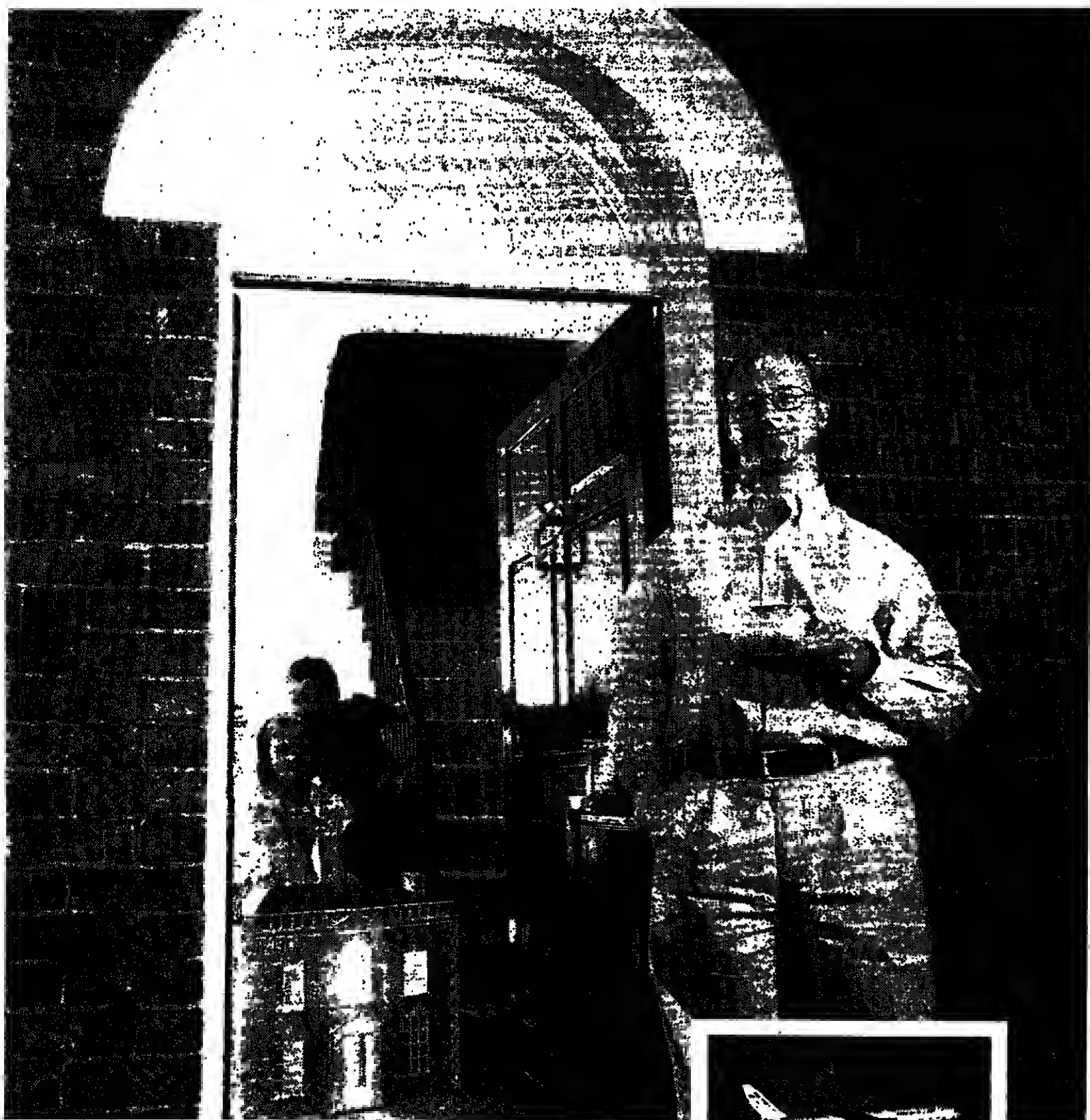
The Russian, described as a mercenary, was wearing Yugoslav Army fatigues and serving as an officer. The

KLA has not suggested that the pro-Serb Russian Government had sanctioned the officer's role in Kosovo.

The prisoners were captured in Jooik, the scene of fierce fighting last week and apparently came from the same unit of a battalion of about 700 men that was attacked by the KLA. They have been taken into Albanian territory and will be handed over in Tirana.

There have been some indications that while the morale of the KLA has been climbing, some members of the Yugoslav Army appear to be uncomfortable with the killings and deportations that they have been ordered to oversee.

Some refugees entering Albania have said that officers in the regular army had reprimanded their men for abusing the displaced villagers.



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BALKANS WAR: NATO BRIEFING

Film shows Nato bombing civilians

Explanation of strike on convoy raises serious questions about ability to identify targets, writes Charles Bremner in Brussels

NATO admitted yesterday that its warplanes bombed the convoy in Kosovo last Wednesday in which the Serbs claimed there were over 60 civilian casualties.

It conceded that civilians were apparently killed in the 50-minute pounding with seven laser-guided bombs, but insisted that the pilots believed they were hitting military vehicles.

In a graphic account that included videos of the bombing, the US Air Force brigadier-general in charge of the operation cleared up the mystery over Nato's earlier versions of the incidents. But his explanation raised serious questions over Nato's ability to identify targets.

Nine 500-lb laser-guided bombs had been dropped by F16 fighters on groups of vehicles in two separate areas of southwestern Kosovo, both of which had been shown on Serbian television, said Brigadier Dan Leaf. "It is possible there were civilian casualties at both locations. This is a very complicated scenario and we will never be able to establish all the exact details."

"We cannot prove or disprove any error," said the brigadier, who commands allied air operations out of Aviano air base in Italy and led the investigation into the incidents. "The world knows that battle of this kind is a complex dynamic environment. We do not claim to be perfect."

The main disclosure from the brigadier, who arrived at Nato headquarters in his olive-green flying suit, was confirmation that allied aircraft had attacked a big moving convoy southeast of Dakovica.

This was the site reported by Kosovo-Albanian survivors, and where Serb officials showed scenes of carnage to Western journalists last week.

Nato officials initially regretted causing civilian deaths there, but then backtracked, offering until yesterday only an account of the other strike, on three vehicles northwest of Dakovica.

Brigadier Leaf said that several planes had pounded the long convoy after identifying its lead 20 vehicles as military. The strikes were called off only after doubts arose over the make-up of the convoy and observer aircraft spotted civilian vehicles.

He said he knew of reports that a British Harrier pilot tried to alert the attackers to the presence of civilians, but said the British aircraft had not been in radio communication with jets involved in the strikes.

The brigadier said he could not explain the bodies shown to the media at the scene, and suggested that Serb forces may have machine-gunned, bombed or mortared the refugees in the convoy.

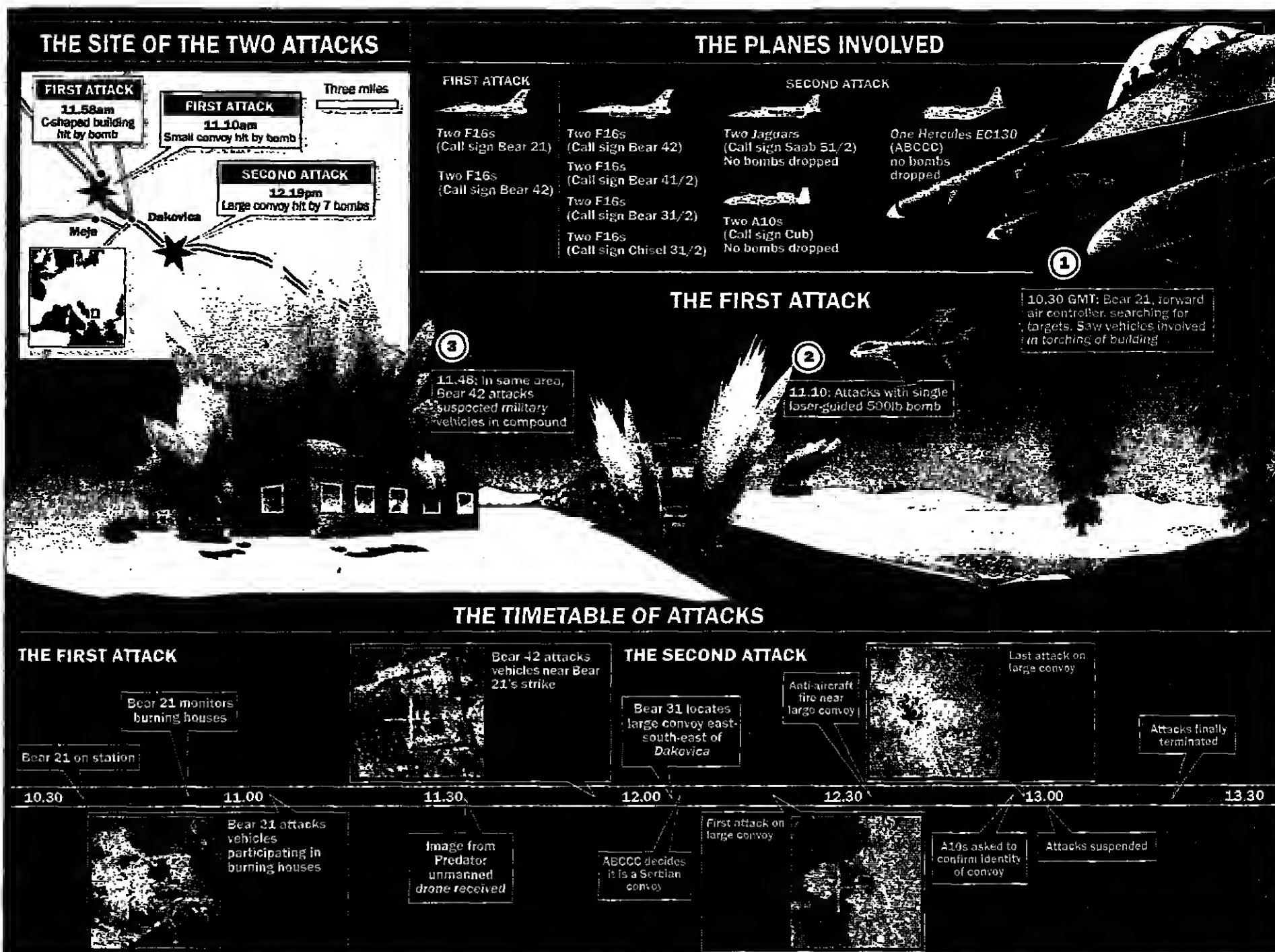
He emphasised the difficulties of identifying vehicles from relatively high altitude and showed an example of the 4½ inch by 4½ inch cockpit video display that pilots use to track targets from several miles away.

He offered a minute-by-minute account of the midday missions that involved eight American F16 fighter-bombers, two French Jaguars and a pair of American A10 ground attack planes, used for observation.

In the first strike, an F16 hit one of three vehicles parked alongside buildings that were being set on fire by Serb forces. The pilot had witnessed "graphic and horrifying" sights of ethnic cleansing in action, said the Brigadier.

"It was the association of the vehicle with the house burnings that made it a legitimate target." This was the attack carried out by the pilot whose account was given to the media last week, he added.

The video also showed a second strike hitting vehicles in a nearby yard. The brigadier showed Serb television film of the site that showed mangled tractors alongside the same building. It was clear that "tractor-type vehicles" had been hit, he said. "We struck a valid military target."



The account of the attack 20 minutes later on the moving convoy, several kilometres long, was less clear. "This is the one we have been referring to all along, and it was a confused picture," he said.

The convoy was spouted by "Bear 31", the codename for a flight of two F16s which had taken part in the earlier strike. "The 20 vehicles were uniform

in shape and colour. They were maintaining steady spacing and pace, characteristic of military movement."

The command-and-control aircraft, circling high above the area, told the pilots: "We have just received word that this is a VJ [Yugoslav Army] convoy." Brigadier Leaf said the command aircraft had partly based its conclusion on

intelligence information. The lead pilot of Bear 31 replied: "Great, give me all your players... I want as many fighters as I can get now." Other aircraft were called in.

The video showed a first bomb missing the lead vehicle which, on the large screen at Nato headquarters, appeared to have an open trailer behind it. The second vehicle veered

off the road. Further giant blasts destroyed other vehicles. "Viewed in comfort", the brigadier said, "it is apparently possible that the vehicles are tractor-type vehicles but from attack altitude, to the naked eye, they appeared to be military vehicles."

During the attack, the aircraft came under fire from Serb anti-aircraft cannon. The

shells were exploding at 13,000 feet, below the aircraft.

After the 20-minute assault, the airborne controllers radioed doubts about the type of convoy, saying: "Serbian forces do not often travel in convoys as large as this."

The A10s were sent in to take a closer look with better optical equipment. Still flying high, they reported that "definitely military vehicles were there, but multi-coloured and possible civilian vehicles were present," said Brigadier Leaf.

He refused to say that Nato was responsible for the civilian dead. "There is the possibility that civilian-type vehicles were struck and there may have been civilian personnel harmed. We cannot determine that clearly."

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WS

**BY MICHAEL BINYON AND
CHARLES BREMNER**

Jamie Shea, the Nato spokesman, noted that oil was the essential fuel needed to run a war, and called on all countries not to take any action to prolong the conflict. Yugoslavia receives most of its fuel from Russia and Iraq, mostly overland. Croatia has turned off its oil pipeline, but supplies continue to flow from Hungary, Bulgaria, Romania and other surrounding countries.



Kosovan refugees queue for food at the Nato-run camp at Stenkovec, near Skopje in Macedonia yesterday. Few refugees have crossed the border in the past few days

Arms export laws are also being broken: according to the agency, funds supposedly earmarked for charity are going towards "fulfilling the military needs" of the KLA.

**FROM DAMIAN WHITWORTH
IN WASHINGTON**

President Clinton, meanwhile, had a 40 minute telephone discussion with President Yeltsin yesterday in which he was given an assurance that Russia would not become militarily involved in the conflict in the Balkans.

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BALKANS WAR: THE COMMONS DEBATE

Don't shoot messenger as the mood darkens

Bad news can arrive by unlikely messenger. Bad news for Nato arrived yesterday in the round and familiar form of Gwyneth Dunwoody (Lab, Crewe & Nantwich). Mrs Dunwoody is developing doubts about the war.

So what? That a minority of government backbenchers are unhappy about Nato policy is hardly news. Tam Dalyell (Linlithgow), Tony Benn (Chesterfield), George Galloway (Glasgow Hillhead), Alice Mahon (Halifax) — the worries of a dozen are known. In any Commons vote they would be overwhelmed by the Labour backbenchers who support their Leader. One more name — and Mrs Dunwoody's is not famous — barely alters the arithmetic.

But Mrs Dunwoody is different. Until yesterday, almost every Labour member of the Kosovo Awkward Squad was a maverick, loner or leftie. It is not to deny the expertise of a Dalyell (or passion of a Benn) to remark that neither is "mainstream". No mainstream government backbenchers oppose the war.

That remains true — just. Dunwoody, 68, is not sufficiently "new" Labour, and too outspoken, to be mainstream. But she is loyal. She

is neither obsessive, quirky, nor anti-militarist. She is not on the Left. She has a commonsense quality. She cares little for our approval and is contemptuous of "spin", but she is not a rogue backbencher as Galloway or Benn are. And she can be quite a bruiser.

Yesterday her tone was anything but bruising. It was

them, then killed them. What if the air campaign fails? She would find it "hard to support" a land invasion. Nato was right to oppose Milosevic, but "I have some doubts..." Intentions were good, but she would hesitate before "committing other women's sons to fight the wrong way, on the wrong terms, at the wrong time". From the sketchwriter's seat it has been fascinating to observe the ebb and flow of Commons sentiment on this war. Weeks ago the House began in angry mood, then, with the start of the bombing, grew shaky. By last week, when Tony Blair addressed MPs in sombre terms, a grim but more determined mood prevailed.

But yesterday the tone seemed distracted. The government benches were never full. Robin Cook's now familiar denunciations of Milosevic failed to rouse MPs — and almost every interruption was hostile or ambiguous. Even Cook's supporters, the vast majority on both sides, were impatient for clarity and reassurance. Cheers were thin.

The mood, said Cook's Shadow, Michael Howard, in an impressive Grand Inquisition of a speech, "has darkened". Mrs Dunwoody's worried face and voice showed it.

MATTHEW PARRIS
POLITICAL SKETCH

most plaintive. Nervously she told her own side — ignoring the Opposition — that she now felt "some unease" about the war. She did not know how to express this, she said: she did not want to undermine our troops. But it was "wrong to ignore" problems. Her spoken thoughts will be the unspoken thoughts of others.

In an eyebrow-raising "I breakfasted with Tito" passage, she surprised MPs too young to remember she is the daughter of a postwar General Secretary of the Labour Party, she described a talk with Marshal Tito in Yugoslavia when she was 20, some 40 years ago. She learned of the guts and resourcefulness of the Serbs. Lacking weapons, she said, they put dinner plates in the path of tanks, hid, waited for the puzzled invaders to dismount to inspect



An ethnic Albanian boy in Malina, a village on the Macedonian border to which 3,000 refugees have fled

We could not let fascism

Foreign Secretary says protectorate should be set up in Kosovo, report James Landale and Mark Inglefield

NATO could not tolerate the rebirth of fascism in Europe 50 years after it was defeated, Robin Cook said yesterday as he sought to defend the alliance's airstrikes in the former Yugoslavia.

The Foreign Secretary said that Nato would have been complicit in the evils being visited upon the Kosovan Albanians if it had failed to act.

Opening the second full Commons debate since the bombing began on March 24, Mr Cook said that a toughening of attitude was needed because of the "sheer scale of the brutality directed from Belgrade against the Kosovar Albanians".

He added: "It is implausible that the refugees will be willing to return while those who have persecuted them remain in occupation in Kosovo."

A much more "hands on" approach from the international community would be needed, he added. He set out a plan for a protectorate under which the administration of Kosovo would be put in the hands of bodies including the United Nations, the European Union and the Organisation for Co-operation and Security in Europe. Britain wants it to be set up by a UN Security Council resolution.

The administration would be backed by a Nato-led force of some 30,000 men and in the Commons Mr Cook called on Russia to take part in it.

The Government secured general backing from MPs for its war stance but the mood was even more sombre and questioning of the ultimate outcome than before.

Mr Cook said: "In the past weeks we have again borne witness to forced deportation by train, to thousands of refugees starving in squalid huddles, to pathetic masses shorn of their homes and their papers for no reason but their ethnic identity."

"Had we taken no action we would have been complicit in those evils."

He added: "Nato was born out of the defeat of fascism. Fifty years later we cannot toler-

ate the rebirth of fascism in our continent. That is why our servicemen are in action over Kosovo. And that is why this House must support them in that action until we have reversed the ethnic cleansing and enabled the people of Kosovo to return to their homes in safety."

Mr Cook said that today, he will promise Britain's full co-operation with the International War Crimes Tribunal in the Hague to bring those who have "stained Kosovo with ethnic cleansing and genocide" to trial.

He said he would hand over to Judge Louise Arbour, the Chief Prosecutor, a dossier of

ow Foreign Secretary, voiced the Tory party's support for the air campaign. "We continue to believe that it was right to take action against the regime which has inflicted so much terror on its citizens," he said.

But he said MPs must face the reality that Nato has not yet achieved its initial objective of halting the ethnic cleansing.

"We must face facts," he said. "Nato's primary objectives of preventing a humanitarian disaster has not been achieved. That must be the starting point for any honest analysis of how we should proceed."

Mr Howard asked the Government to clarify a series of points, particularly the arguments being used over the possibility of the deployment of ground forces. Would any ground force be under the auspices of Nato? What did the Government mean by a "permissive environment"? Was the removal of President Milosevic now an explicit Nato objective?

He said: "We remain of the view that it was right of Nato to intervene. But we must ensure that having embarked on this action, we now see it through."

Mr Campbell, the Liberal Democrats' Foreign Affairs spokesman, said there were both "moral and pragmatic" reasons for stopping Serbia's "flagrant abuse of humanitarian standards".

But he criticised the Government for so firmly ruling out the possibility of ground forces.

"It was wrong for Nato to rule out the option of ground forces in such an apparently unequivocal way because it told the Milosevic regime to exclude from their calculations an option which it would have found disconcerting. Milosevic should have been left in confusion and doubt about Nato's intentions," he added. "I do believe the threat and indeed the use of ground forces will be an essential component continued on facing page

'Had we taken no action we would be complicit in these evils'

material of the "multiple atrocities" which have taken place over the last three weeks, including names of police and army commanders and photographs of possible mass graves.

Mr Cook outlined Britain's aid contribution so far: £20 million on a national basis and £27 million via the European Union. He said the airstrikes were having a "real impact" on President Milosevic's war machine.

Tony Benn (Lab, Chesterfield), who opposes airstrikes, criticised the Government for refusing to allow MPs to vote on the military action. He accused ministers of turning Commons debates on the war into "a press conference where we listen to ministers but have no opportunity to register our views or votes".

Michael Howard, the Shadow

LABOUR VETERAN'S CALL TO ARMS

John Morris, the Attorney-General, emerged yesterday as one of the unlikely but central players in the wartime chain of command between ministers and defence chiefs (Roland Watson writes). Mr Morris, a survivor not just of the last Labour Government but a ministerial veteran of Harold Wilson's first administration, is required to authorise the RAF's bombing targets. The 67-year-old MP for Aberavon examines proposed targets with Tony Blair, Robin Cook and George Robertson before the jets are given the all-clear.

Mr Morris attends meetings of the Defence and Overseas Cabinet Committee, known as

DOP. His role is to ensure that the targets conform to international conventions seeking to protect civilians and parts of the civil infrastructure such as hospitals. He also has to decide whether roads, bridges and factories are critical to Serb oppression in Kosovo and therefore legitimate targets. Mr Morris played a similar role in the bombing raids on Iraq. The disclosure came as Downing Street denied reports that defence chiefs were being frustrated by limits imposed by politicians. The Prime Minister's official spokesman described as "complete nonsense" reports that Mr Blair personally selected targets.

Pupils are asked to imagine suffering

BY ALEXANDRA FREAN
SOCIAL AFFAIRS
CORRESPONDENT

THOUSANDS of schools are being asked to observe a minute's silence next week during assembly in an attempt to help children to understand the horror of war.

The initiative, organised by the charity Save the Children, has the aim of helping youngsters to make sense of the disturbing images of human suffering from Kosovo and other conflicts around the world.

Pupils at secondary schools participating in the scheme will be asked to meditate upon a specially prepared text written from the perspective of a child caught up in war. It says: "I am afraid. I am hungry. I want my mother. I am small, dirty and insignificant, why else would I have been left?"

Children at primary schools will be asked to reflect on the things they enjoy doing most and then imagine what life would be like without them.

The scheme will be backed by a radio advertising campaign based around a rewritten version of a children's nursery rhyme: "Jack and Jill went up the hill to fetch a pail of water/Jack was snatched by rebel troops and Jill raped shortly after."

Andrew Hutchinson, the charity's head of education, said it was important to help children to understand war in a way that did not distress them. The advent of 24-hour television news meant that it was a subject that few parents felt they could now avoid.

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BALKANS WAR: THE COMMONS DEBATE

let fascism be reborn, says Cook

continued from facing page
in the achievement of any settlement. I think public opinion has been much more robust on this topic than governments have estimated."

Mr Campbell voiced his support for Mr Benn's demand for a Commons vote on the conflict. He also criticised Downing Street for "rubbishing" BBC foreign correspondents in Belgrade.

"Mr John Simpson is not a candidate for sainthood but it seems to me to portray a conspicuous lack of confidence in the justice of the cause to be so ultra-sensitive to his broadcasts from Belgrade," he said. "I believe firmly that we should let people make their own judgements."

Gwyneth Dawood (Lab, Crewe and Nantwich) expressed the unease which some MPs felt towards the air campaign even though they accepted the essential moral justice of the military action.

She said: "Those of us who commit other women's sons to fight on our behalf must be very clear that we are not doing it in the wrong way, in the wrong terms and at the wrong time. I do hope that we will be given the opportunity, if any such thing is even contemplated, to express the views of many of the people of the UK, who knowing the savagery, knowing the viciousness with which politics is frequently progressed within the Balkan states, nevertheless want to know that we are not committing our people to a long term and quite frightening adventure that may not in the final analysis be in the interests of our people."

Nicholas Soames (C, Mid Sussex), a former Defence Minister, gave warning that the use of ground troops was inevitable. But he added that modern world leaders who had not experienced the Second World War should realise airstrikes were often not enough. "The lesson of this is that limited actions get limited results," he said.

Bruce George (Lab, Walsall South), chairman of the Defence Select Committee, said that Nato was fighting not only in the air, but also on the airwaves and emphasised the importance of a better Nato media campaign. He said both the military and civilians should "sing from the same song sheet".

He also criticised those expressing concerns about the costs of the campaign. "The morality of the cause is such that we should not apply accountants' principles four weeks into a conflict," he said.

Alan Clark (C, Kensington and Chelsea), a former Defence Minister, said: "This

'The lesson of this is that limited actions get limited results'

war is clumsy, wasteful and symbolic. I can see neither clearly defined objectives or any measurable way of attaining them. The Prime Minister seems to be making things up as he goes along."

Mr Clark said he was satisfied that the RAF had not been to blame for recent airstrikes which had caused civilian casualties — but Americans were "another case entirely".

He said the record of the US airforce was "over many years is abominable, whether they are (hitting) Iranian airliners, British servicemen in personnel carriers, bridges, trains, factories and apparently refugee convoys in Yugoslavia".

Sir Peter Tapsell (C, Louth and Horncastle) criticised the Nato military action. He said it was the "most incompetent operation that Britain has been involved since the Crimea". He added: "The Prime Minister likes striking moral poses and I do not question his sincerity in all this."

Ann Clywd (Lab, Cynon Valley) appealed to the Government to do something more for the refugees. She said that "every refugee she spoke to, except one, said that they wanted to go back to Kosovo" but she warned MPs that "the reality was that many of those refugees would not return home for years".

Martin Bell (Independent, Tamworth) called for clarity of war aims and said that it was foolish now to think that Milosevic could be broken by airstrikes. "Circumstances on the ground can only be altered by

boots on the ground," he said.

He also complained about the way in which British war reporters, such as John Simpson of the BBC, were being attacked by the Government for alleged bias towards Serbia. He called for an end to "sniper fire from Downing Street".

Mr Bell backed the use of ground forces. "Are we the kind of people who will sit back and wring our hands and bomb from afar and let this genocide happen? Or are we the kind of people who care enough to take the risks, to create a world which will not only bring peace to the Balkans in the long run but to find the sort of security structures that we have for our own children and grand-children?"

Donald Anderson, Labour chairman of the Foreign Affairs Select Committee, claimed the House was overwhelmingly behind the Government. But he warned MPs that the allies must be prepared to accept "less than total victory" over Milosevic.

Mr Anderson said the picture was "still very gloomy" in the region, with progress less than had been hoped for.



A Harrier jump-jet on the flight deck of the aircraft-carrier HMS Invincible is readied for action as HMS Newcastle steams across the ship's stern as British forces maintain their station in the Ionian Sea

Blair's promise to retake Kosovo

THE Prime Minister said yesterday that Slobodan Milosevic would be "made to withdraw from Kosovo" (Philip Webster writes).

In a speech to the European Bank for Reconstruction and Development, in London, Tony Blair told the Yugoslav President that an international force would go into Kosovo. "The dispossessed refugees will be brought back into possession of that which is rightfully theirs."

Mr Blair's restatement of Nato objectives came as ministers underlined that Mr Milosevic's removal from power was not a "war aim". That explicit strategy would be against international law. But they made plain that if he was toppled because of Nato's attack it would be a happy outcome.

Allies travelling long road from Rambouillet

Britain has a history of going to war for objectives that it fails to achieve. After being invaded by Germany in 1914, Belgium was not liberated for more than four years, while the conquest of Poland in 1939 was not really reversed until the end of communist rule 50 years later.

In Kosovo, Nato launched its air attacks a month ago to prevent a humanitarian disaster. This has clearly not happened, as Michael Howard noted in the Commons. That in no way invalidates the Nato military action, but it does require new war aims, which Robin Cook clarified and expanded yesterday. The failure to achieve the immediate goal is largely because the expected spring offensive by the Serbs to drive out the Kosovan Albanians has been more rapid and ruthless than expected.

Nato had to act quickly after the final collapse of the peace talks, but its leaders had no clear plan. They underestimated the scale of military action required and overestimated the impact of the bombing.

President Milosevic and his forces are clearly to blame. So despite the damage being done by air attacks, Nato's inability to stop the expulsion of the Kosovan Albanians has fuelled the sense of confusion and uncertainty that was evident among several speakers in the Commons.

Tony Benn's call for the Government's approach to be debated on a substantive Commons motion was backed by Menzies Campbell and other supporters of the Nato action.

The slaughter and the bombing have naturally altered the war aims. Mr Cook reiterated the terms adopted unanimously by both Nato and the European Union: a ceasefire against the people of Kosovo, the withdrawal from Kosovo of Mr Milosevic's forces, the return of all refugees

and unconditional access for humanitarian relief, and acceptance of an international military force needed to persuade refugees to return. The intention is still that such a force should be Nato led, involving Russian troops.

There are many, deliberate, ambiguities. The Prime Minister has repeatedly said that Mr Milosevic will not have a veto on the deployment of Nato forces. The implication is that while there may not be a full-scale invasion of Kosovo, ground troops may be committed once Serbian forces on the ground have been further weakened, thus reducing the risk of sizeable casualties.

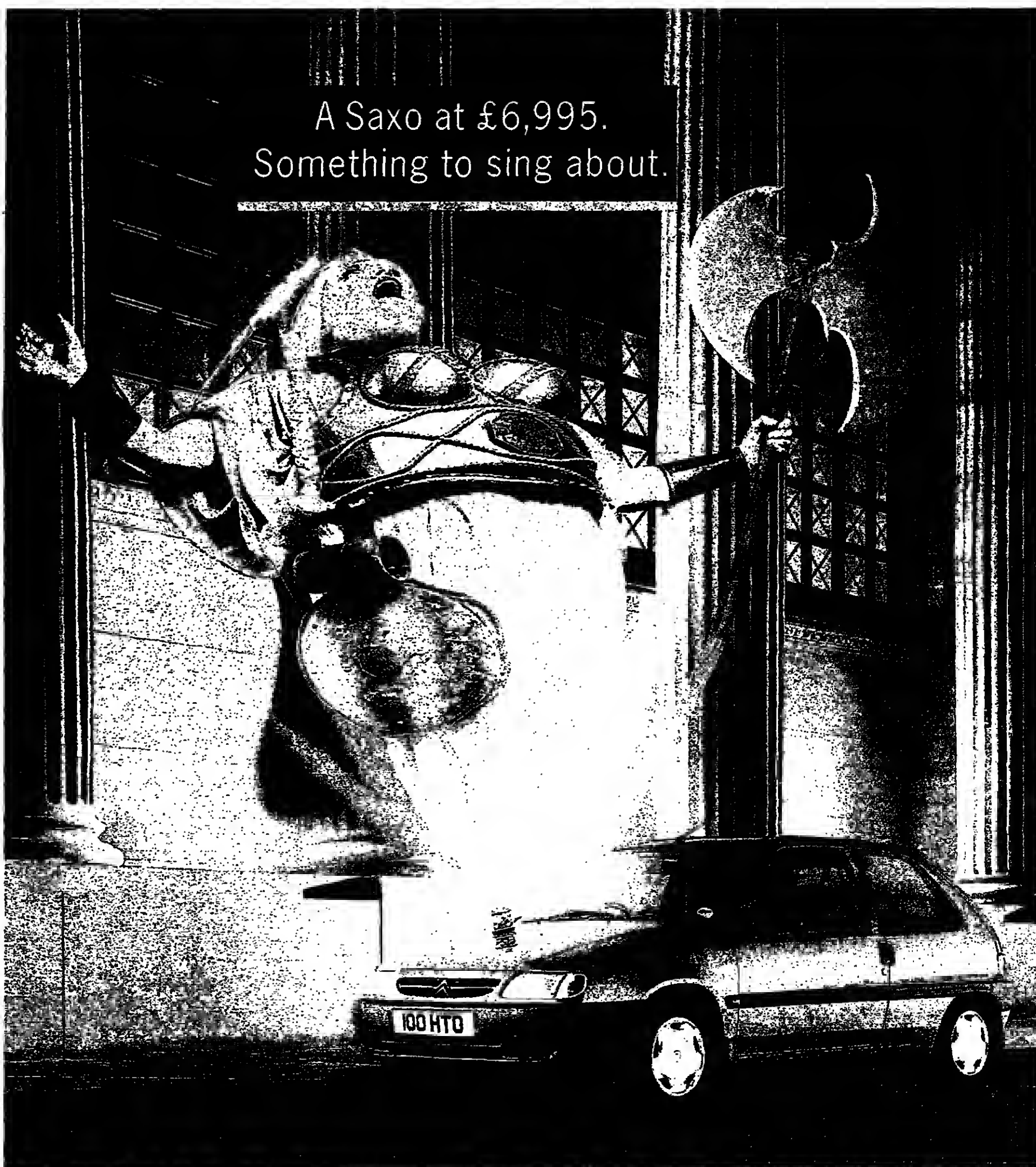
Mr Cook gave the clearest outline yet of the postwar settlement. The Rambouillet proposals obviously have to be revised, taking into account the presence of the Serb Army in Kosovo. Refugees are hardly likely to be willing to return under those conditions, so "we now require full withdrawal of the Serb Army".

The international community will also have to accept "a more direct responsibility for Kosovo than envisaged at Rambouillet". This will in effect be a separate protectorate administered by international bodies, as advocated by the Liberal Democrats. Mr Cook said that his preference would be for a mandate provided by a United Nations Security Council resolution.

This plan has not yet been formally adopted, but there is broad agreement on their thrust among the five key foreign ministers (United States, Britain, Germany, France and Italy) who talk by conference call most evenings.

Nato, and the EU, are now taking responsibility for the future security and political and economic stability of the Balkans. That is a long way from either the Rambouillet terms or the original war aims.

Peter RIDDELL
ON POLITICS



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Stomach stretch saves liver boy

By IAN MURRAY, MEDICAL CORRESPONDENT

DOCTORS have stretched a baby's stomach cavity to enable him to receive a bowel and liver transplant from a donor three times his size.

Jack Glass and his twin sister were born ten weeks prematurely in July 1997. He had a bowel disorder, necrotising enterocolitis, which destroys the intestine, and he had to be fed intravenously. This in turn destroyed his liver, but all available donors were too big for him.

His condition began to deteriorate just before Christmas and the surgeon Jean de Ville de Goyet decided to stretch his stomach cavity with a balloon that was filled with water over eight weeks. At the beginning of February, when he weighed 22lb and his stomach was about 25 per cent larger than it had been, a donor was found — a 10-year-old boy weighing nearly five stones.

The operation was carried out by a team from the Diana, Princess of Wales, Hospital in Birmingham.

"By then Jack had a nice

roomy stomach cavity and it was possible to fit nearly seven feet of the donor's intestine into it. That should be all he needs to lead a normal life," said Susan Beath, the consultant hepatologist on the team. "We had to trim off the right lobe of the liver and use just that because the whole organ would have been much too big."

She said that such an operation had been tried only once before, on a year-old child in Japan, without good results.

"Jack has made excellent progress. He is playing and his energy levels are good," she said. "This procedure opens up the possible donor field tremendously. We can now consider donors who are three to four times heavier than the patient."

Jack is to fly to Glasgow today to spend his first night at home. His mother, Carrie, said that she and her husband, Jerry, had no doubts about agreeing to the treatment. "It was Jack's only chance."



Jack Glass with his mother, Carrie. He was given a ten-year-old boy's bowel and liver

BBC fights to subdue unrest over Dyke

Critics say Labour donations may cost Director-General candidate, report Andrew Pierce and Susie Steiner

FORMER governors of the BBC and senior broadcasters expressed concern last night at the prospect of Greg Dyke, who has donated £50,000 to the Labour Party, becoming the Director-General.

Sir Christopher Bland, the Chairman of the Board of Governors, last night tried to defuse the controversy ignited by disclosures in *The Times* about the scale of Mr Dyke's donations to Labour. He said the competition for the most powerful job in broadcasting was "genuinely open". The selection process would be rigorous and objective with "no discussion of any candidates with any politicians of any party", he said in a letter to *The*

Times. Serving governors refused to discuss the merits of Mr Dyke, the multimillionaire Labour member who is Downing Street's preferred candidate, but several former governors openly expressed anxiety.

Dame Jocelyn Barrow, the first black woman governor, said: "Political donations of this magnitude disqualify Greg Dyke from the running. You cannot do this job if you have such a close relationship with one political party and have cemented it with such a large donation."

Other past governors argued that to appoint such an overt supporter of new Labour would be a betrayal of the principles of Lord Reith, the founding father of the corporation.

Watson Peat, a Scottish broadcaster who helped to appoint Sir Michael Checkland, predecessor of Sir John Birt, said Mr Dyke's Labour link could cost him dearly. "If there are other candidates who are equally as strong, it will definitely count against him."

"If someone wants to be high profile politically, they should surrender their public appointments."

Baroness James of Holland Park, the writer P.D. James, was also uneasy. "I must say the scale of the donations surprises me," she said.

Mr Dyke was one of a dozen media executives who bankrolled Mr Blair's 1994 leadership campaign to the tune of £72,000. He has paid Labour £50,000 since 1994.

The broadcaster Jonathan Dimbleby warned the BBC to proceed with caution: "It is crucially important that whoever is appointed is not only independent of any political party but is seen to be independent of any political party."

Mr Dyke, chairman of Pearson Television and former chief executive of London Weekend Television, is a paid-up member of the Labour Party. He refused to comment yesterday.

He is a close friend of the BBC chairman. He and Sir Christopher were colleagues at LWT. Sir Christopher, a Tory, encouraged Mr Dyke to allow his name to go forward to succeed Sir John Birt next spring.

The Times contacted 11 of the 12 serving governors, but only four returned telephone calls. Tony Young, who joined last July, refused to comment on Mr Dyke's credentials. Mr Young, a leader of the Communication Workers' Union, said: "It would be more than my appointment was worth."

Roger Jones, the governor for Wales, who is chairman of the Institute of Directors in the Principality, declined to comment saying: "I don't know who the candidates are."

Dame Pauline Neville-Jones, former Foreign Office official,

insisted that the governors, and not the Government, would make the choice. "The Reithian principles are extremely important to the BBC and remain valid. We all treasure the independence of the board of governors," she said.

But Sir Graham Hills, the former Scottish governor and education adviser to the Government, said: "It flies in the face of Lord Reith. The Director-General must be impartial, disinterested, and seen to be so. It must be an appointment in the true tradition of Reith."

"In this modern age it is difficult to find a candidate whose hands have not been muddied. But it is not an insurmountable problem. There are perfectly good internal candidates."

Liberal and Conservative MPs have criticised the emergence of Mr Dyke as favourite for the £377,000-a-year post. Martin Bell, the Independent MP and former BBC foreign correspondent, said that the £50,000 donation disclosed in *The Times* should mean automatic disqualification.

There was support for Mr Dyke from Lord Barnett, a former vice-chairman of the BBC, who was Chief Secretary to the Treasury in the last Labour Government. "The amount of money Greg Dyke may or may not have given to the Labour Party should not have any effect on his application. It is whether he can do the job or not. I do not know enough about the candidates to know whether I would support him," he said.

Margaret Spurr, a governor until last September, said: "We have all got political views which do not have to cloud our judgement."

Five other men have been shortlisted for the post of Director-General, four from within the BBC, plus Richard Eyre, 44, the chief executive of ITV.

Anthony Howard, page 24



Dyke gave to Tony Blair's leadership campaign

Doctors 'tried to hide baby death error'

By CLAUDIA JOSEPH

TWO senior doctors tried to cover up the accidental poisoning of a baby girl after she was injected with 100 times the intended dose of morphine because of a mathematical error, the General Medical Council heard yesterday.

Jean Shorland, a consultant paediatrician at Rotherham General District Hospital, instructed Vivian Michel, the registrar who administered the morphine, not to mention the overdose on the death certificate of Louise Wood, a twin, and he complied.

Yesterday, Dr Shorland and Dr Michel faced charges of professional misconduct alongside another colleague, Hilary Evans, a junior doctor who put a decimal point in the wrong place and miscalculated the fatal dosage at 15 milligrams instead of 0.15mg.

All three doctors denied the charge. Dr Shorland, who has heart problems and suffers from stress, did not appear before the council's Professional Conduct Committee.

She was also criticised for displaying little compassion when she informed Louise's parents, Brian Purshouse, 37,

a machinist, and his wife Linda, 38, about Louise's death, and for waiting two days before informing the coroner.

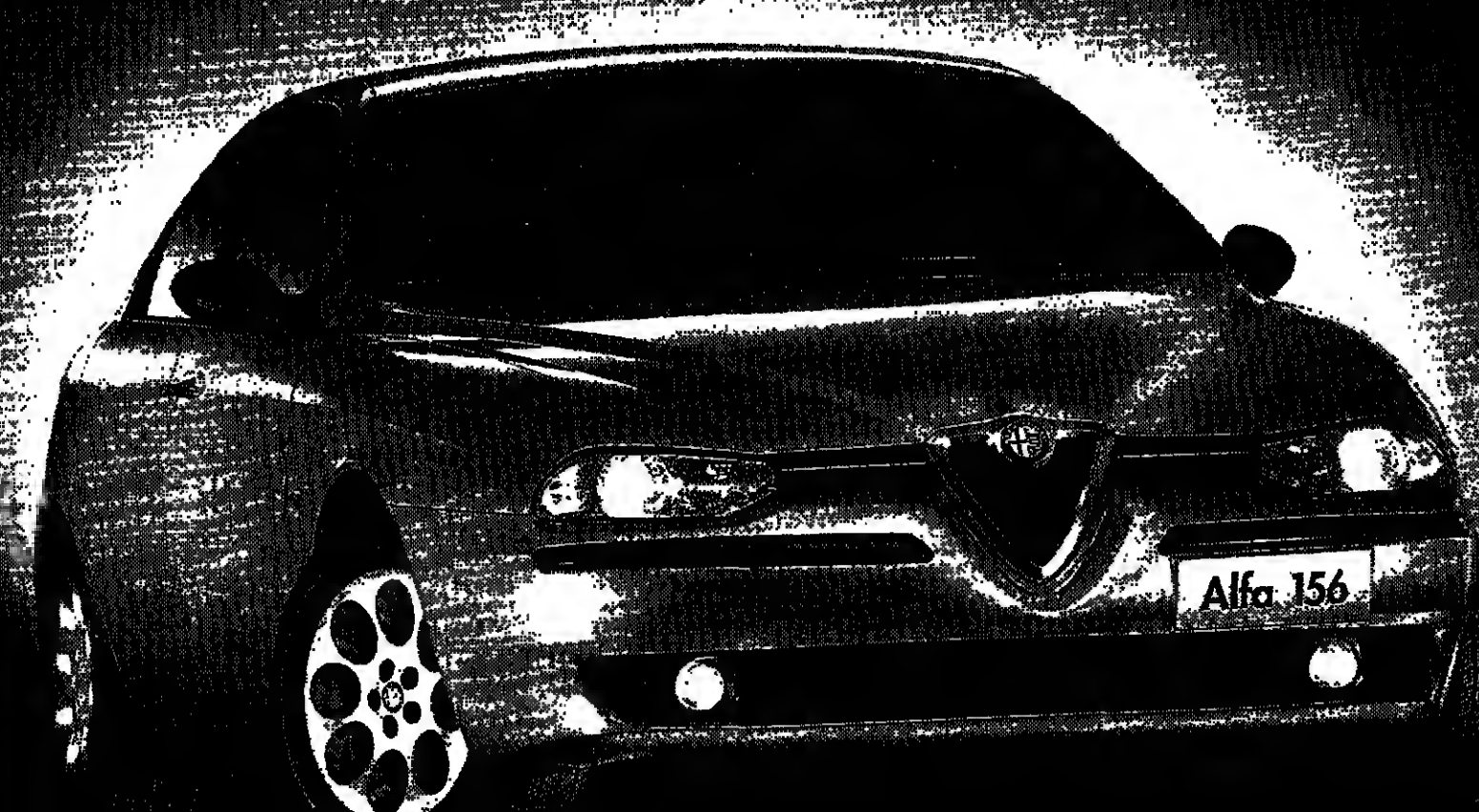
The committee heard that Louise and her twin sister Natalie were born on September 30, 1995, seven weeks prematurely. The following day, as Louise began suffering breathing problems, Dr Michel decided to insert a chest drain.

Dr Evans calculated how much morphine was needed to sedate Louise on a scrap of paper. But, after putting the decimal point in the wrong place, gave Dr Michel two syringes containing 15mg of the drug instead of 0.15. Dr Evans, 29, admitted she should have known the dosage was excessive.

Dr Michel, the consultant paediatrician, admitted unwittingly administering an excessive dose of morphine and certifying the cause of death as pneumonia or suffocation.

Dr Shorland, 58, denied that the cause of death was uncertain and its certification potentially misleading. She disputed that she should not have instructed Dr Michel to complete the death certificate.

The hearing continues.



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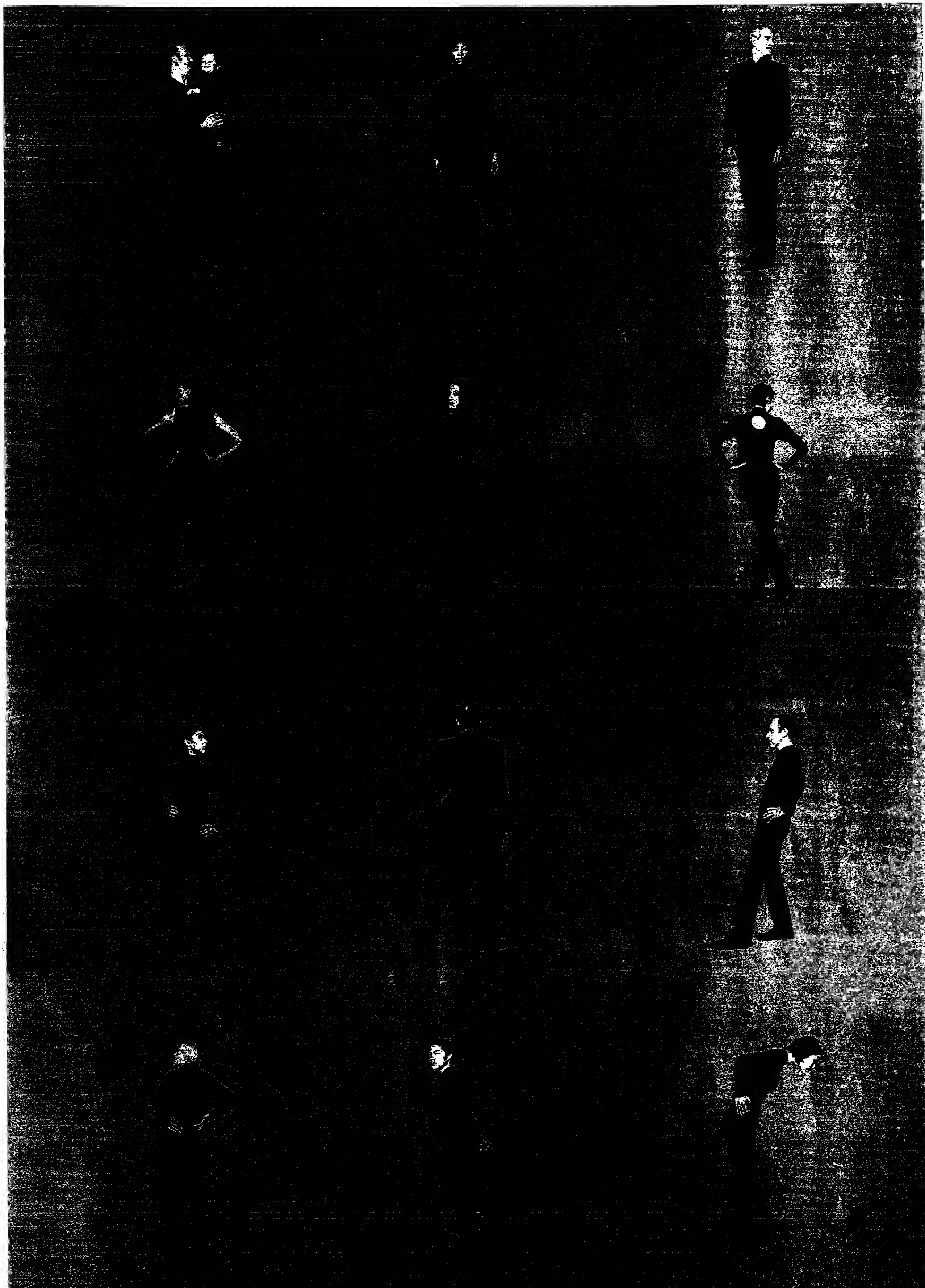
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Lost war memorial found in junk shop

By RUSSELL JENKINS

OLD boys from the school attended by Sir Paul McCartney are aghast to have found its war memorials languishing in a council basement and a junk shop. They had been told the memorials would be saved when the Liverpool Institute High School for Boys became the Liverpool Institute for Performing Arts, thanks to the star's fortune. Major David Evans found the Great War memorial in a "filthy state" at Liverpool education authority's offices. The tribute to the Second World War dead was among bric-a-brac in a second-hand furniture shop. Sir Paul's spokesman said it was not the sort of thing he would want to happen: "He would want to preserve the building." Liverpool City Council said it was concerned and would investigate.

Letters, page 25



David Evans and Hal Giblin, old boys of Liverpool Institute, saved its war memorials

Holocaust centre to have shattered look

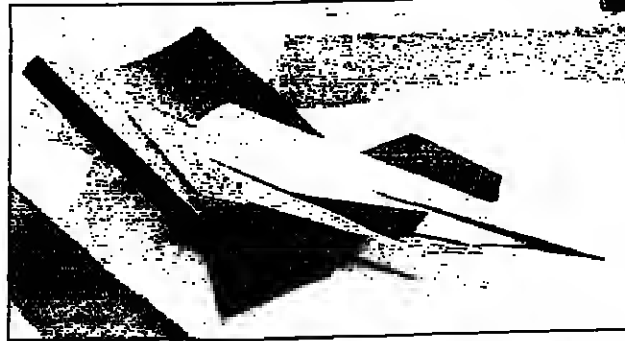
Russell Jenkins on a radical design for a national museum in the North

LEADERS of Britain's Jewish community will unveil plans by the architect Daniel Libeskind this week for a national Holocaust museum.

They hope the Shoah Centre will record the experiences of individuals, families and communities caught up in the Nazi genocide and relate them to the oppression of minorities today.

The building, a typically striking composition of shattered fragments by the architect, is to be built beside the Manchester Ship Canal, in Trafford. It is designed to complement its neighbours, the Imperial War Museum of the North, a spectacular concept building also designed by Mr Libeskind, and the Lowry Centre.

Mr Libeskind, one of Europe's most radical architects, designed the recently completed Jewish Museum in Berlin, based on a flattened and mangled Star of David. Among its controversial features are vast empty spaces, signifying the



The building will be composed of shattered fragments

years when Jewish life was all but extinguished in that city.

The proposed museum will be Britain's answer, more than half a century after the last concentration camp was freed by advancing allied troops, to similar Holocaust museums in Israel, continental Europe and the United States.

Bill Williams, chairman of the project, said that the museum's primary purpose would be to direct attention to the kinds of prejudice from

which the Holocaust was "constructed".

He said: "The museum will depart from the narrative approach, adopted by others. The emphasis will not be on the emergence of the perpetrators or their modes of destruction, but on the experience of their victims. It will be about how the Holocaust was experienced by individuals, families and communities."

The museum will benefit from a long-term project by the Manchester Jewish Museum

to preserve the testimonies of survivors. Curators will also be able to explore the National Sound Archive of the British Library and the extensive collection of documents and photographs in the Imperial War Museum. A bid is being prepared to the National Heritage Lottery Fund for the bulk of the costs.

Sir Sidney Hamburger, president of the project and an elder statesman of Manchester's Jewish community, said: "The concept for the museum was first considered in 1993. We have not got all the bricks in place. All we need is £7 million of mortar. The museum will be an educational experience to show today's societies the horrors of indifference."

Paulene Lane, deputy leader of Trafford council, said that the two Libeskind buildings would form a spectacular vista across the Manchester Ship Canal. Daniel Libeskind was also the architect behind the Victoria & Albert Museum's spiral-shaped extension.

Viagra earns Dome place as best of British

By MARK HENDERSON

VIAGRA has won a place as one of the brightest British innovations of the 1990s. The blue pill that is said to have transformed the lives of impotent men around the world was declared an official Millennium Product for display at Greenwich yesterday.

The announcement came from Stephen Byers, the Trade and Industry Secretary, whose Cabinet colleague Frank Dobson, the Health Secretary, plans to limit the availability of the drug on the NHS.

Viagra is likely to find its way into the Body Zone, though it has yet to be decided in what part of the 90ft, genitalia-free, sculpture of a couple embracing it should be displayed.

While much of the Body Zone will feature audience participation, the Viagra exhibit is thought unlikely to be interactive. Nor is it known whether it could be shown alongside another Millennium Product, the ultra-thin condom.

Viagra is made by the American pharmaceutical company Pfizer, but qualifies for Millennium Product status because it was largely developed by British scientists at the firm's laboratory in Sandwich, Kent. Andy Burrows, of Pfizer, said

that the drug was a "major breakthrough" and deserved its best-of-British tag. It was "a slight irony" that the pills were not yet fully available on the NHS, he said.

Millennium Products will be scattered throughout the Dome when it opens next year. Items chosen by the Design Council include a waterless urinal, the Ford Focus car, an aqualung that lasts 100 times longer than conventional models and a landmine clearance system.

Younger visitors to the Greenwich exhibition will also be able to enjoy the antics of the Teletubbies, who won Millennium Product status as one of Britain's most successful entertainment exports.

A spokesman for the New Millennium Experience Company said: "We believe that people will find a visit to the Dome uplifting enough without Viagra. But Viagra is expected to be featured some time during the year 2000."

LINKS
www.design-council.org.uk The Design Council home page
www.dome2000.co.uk The Millennium Dome home page

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Nail-bomb boy was inches from death

By TIM REID AND ELIZABETH JUDGE

THE toddler who had a 4in nail removed from his brain after the Brixton market bombing in South London was extremely lucky to have suffered only superficial injuries, the surgeon who oversaw his operation said yesterday.

The unnamed boy was recovering and in good spirits after the emergency operation on Sunday and was running around his ward at Great Ormond Street hospital.

Dominic Thompson, a consultant neurosurgeon, said: "The nail entered his temple about an inch to the side of his left eye and pierced the left frontal lobe of his brain. If the nail had pierced one of the blood vessels around the brain, or even penetrated his face, the injury could have been fatal."

The boy's parents said, in answer to written questions from *The Times*, that he spent yesterday playing with the nurses and chattering around. "He doesn't know what has gone

POLICE SEARCH CAMERA EVIDENCE

THE Brixton bomber chose one of the most closely monitored high streets in Britain to plant his device (Stewart Tendler writes).

Yesterday detectives were searching for a sight of him among crowds on film from closed-circuit television cameras covering the centre of

Brixton. Lambeth council has handed police hundreds of hours of film from 23 cameras that cover the area and were introduced to curb muggers, pickpockets and car thieves. Ten cameras monitor the area around the bomb site and others focus on the railway and Underground stations.

sight as doctors from King's College Hospital operated on them for a second time yesterday. The victims, a man aged 32, another in his 60s and an elderly woman who has a brain injury that could affect her vision, will not know for "several weeks" whether doctors have been able to save their sight, the hospital said.

Of the six other patients at the hospital, two were in a serious but stable condition with "nasty but not life-threatening shrapnel injuries". Five had surgery yesterday, including skin grafts and scans to check for internal bleeding.

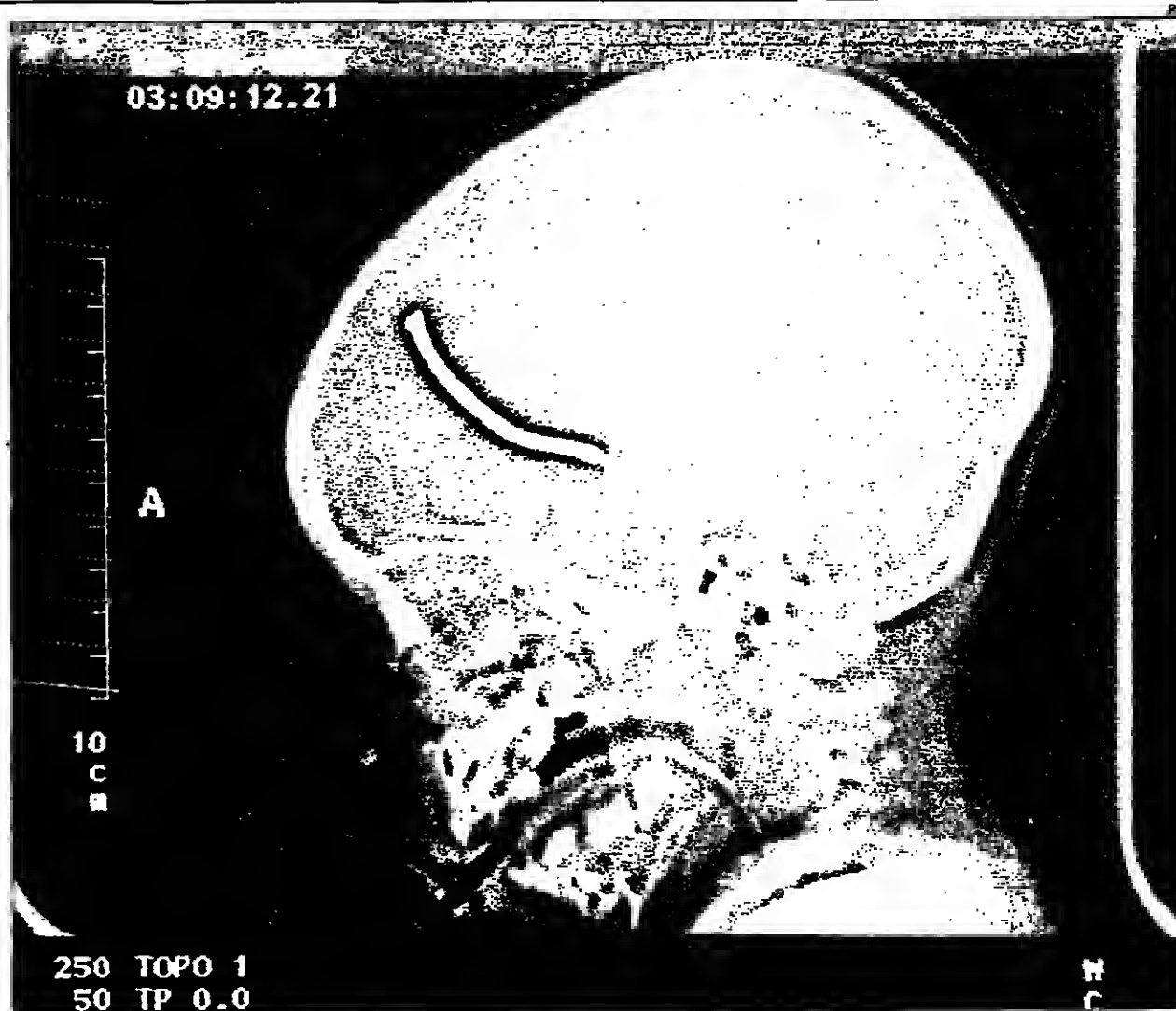
At St Thomas's Hospital, Ogo Nwokolo, 16, was recovering from an operation to remove a 3in nail from her pelvis. Her sister, Ijeoma, 17, was discharged after having a nail removed from her abdomen.

Aiah Manjo, 29, a guard from the Iceland supermarket where the nail bomb was first spotted, had nails removed from his leg and stomach and debris from his eye. He was described last night as being "comfortable".

had gone so well: "We want to thank all the hospital staff and the surgeons for their help."

Mr Thompson said that the child was not likely to experience any long-term effects. "We are in the early stages, but I have every reason to believe that he will continue to make a good recovery. We are keeping him in hospital for a few days, but then he should be able to go home."

A total of 14 people spent a third night in hospitals across London. Three victims were still in danger of losing their



The nail embedded in the boy's brain. If it had pierced a blood vessel, or his face, he could have been killed

Prisoner 'induced hanging of cellmate'

By RICHARD FORD

A PRISONER received such sadistic pleasure out of watching cellmates hanging themselves that he tried to bring about their deaths, the Old Bailey was told yesterday.

Glenn Wright used drugs to lure cellmates into nooses made from sheets at Woodhill prison, Buckinghamshire, and Pentonville, North London, the court was told. Two victims were saved but a third, at Woodhill, died in hospital.

Wright, 27, denies murder, attempted murder and aiding an attempted suicide.

Michael Worsley, QC, for the prosecution, said that, in 1996, Wright had made a noose for William Scott, and supplied pills to him. Scott was found hanging from a door in the cell they shared but was saved after Wright pressed a button to summon help.

In 1997, Wright was sharing a cell with Karlious Smith when he was found hanging; he died a week later. Mr Worsley said Smith had been happy and was to have been transferred the next day.

Last year, Wright was sharing a Pentonville cell with Kenneth Cross; he was said to have put a noose round his head. The trial continues.

Relative tells of euthanasia GP's care

By TIM JONES

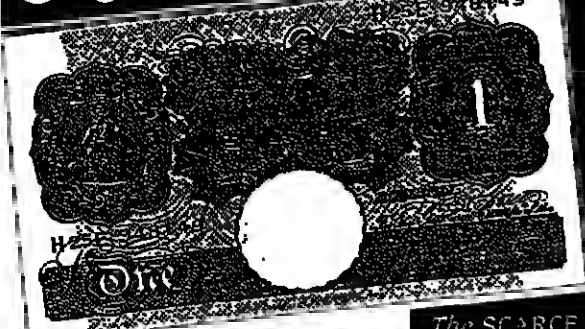
A DOCTOR accused of murdering an elderly and bedridden cancer sufferer was described by the dead man's son-in-law yesterday as "a remarkably good doctor".

Speaking in hushed tones and wiping tears from his eyes, Anthony Ryan, 66, told Newcastle Crown Court that his father-in-law, George Liddell, 85, had been in acute pain before David Moor injected him with a massive dose of diamorphine in July 1997. Mr Ryan said that, when he tried to arrange the pillows on Mr Liddell's bed, he had screamed in pain. "When I eased him forward he started to cry. It was a long and protracted cry and this was more than I could stand. I have never heard anything like it."

Mr Ryan, who now lives in Ireland, said that Dr Moor, 52, who denies murdering Mr Liddell, was kind and caring. Over the years, Mr Ryan told the court, he had lost two wives to cancer and Dr Moor had always been extremely supportive.

The doctor, from Stamfordham, Northumberland, was arrested after publicly airing his views on euthanasia. The trial continues.

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The Stockport comprehensive acted despite local education authority reservations

Head calls in sniffer dog for drugs hunt

Two pupils are suspended for having cannabis after a search by a security firm, writes Russell Jenkins

THE headmaster of a comprehensive in an affluent suburb of Manchester brought a sniffer dog into the school in an attempt to end drug dealing among pupils.

John Peckham, of Bramhall High School, in Stockport, recruited the £35-a-day dog and handler to check cloakrooms, changing rooms and playground areas.

The pair uncovered two 15-year-old pupils in possession of cannabis. They were suspended but not expelled in the action, which was meant as a warning to the 1,450 pupils that drugs will not be tolerated.

The headmaster went ahead with what is believed to be the first such action of its kind, knowing that the Stockport education authority was apprehensive about the action.

Mr Peckham emphasised that the use of dogs was only part of a comprehensive anti-drugs message to his pupils. He insisted that the school did not have a significant drugs problem.

He approached governors and parents before hiring Steve Warren, who runs Sovereign Security, based in Macclesfield, and his dog, Scuba. Lessons were unaffected as the dog hunted for drugs around the public areas of the school, including the perimeter fence. Pupils have been given a warning that there may be further raids.

Mr Peckham said: "As far as I know, we are the only school to go down this road. We thought about it long and hard and we thought it was the right thing to do. Ninety



Peckham told pupils to expect further searches

per cent of our pupils would not dream of dabbling with illegal drugs. They do not want a school that is associated with that sort of thing.

"We were aware that there were one or two who felt they could bring cannabis into school and they thought nobody could do anything about it and we could not search them."

"Even if we could, 1,500 kids is a lot and it would take a long time. They thought they were immune. They thought they could walk around and nobody could do anything about it."

Mr Peckham has not had to expel a pupil in his three years at the school. However, he said that drugs were an issue for every school in the country.

"We have no more and no less of a problem than most other schools," he said. "The more you can do to address the problem, the better. Kids do things that are foolish, but

by having these searches we are providing another weapon in the armouries of those who want to say no to drugs."

Max Hunt, Stockport's chief education officer, said: "We were apprehensive about the use of sniffer dogs. Stockport has been a leader in the field of drugs education and, since 1992, we have had comprehensive procedures to support our schools with drugs education and intervention where there is a problem."

"We told the school we were not too keen on the use of dogs. We think it might disturb, worry or even frighten younger pupils. However, it is a matter for the governors and the head teacher of the school to decide."

Mark Hunter, the local authority's education chairman, said that Stockport's policy of zero tolerance to drugs did not include the use of sniffer dogs. But he added that it was a matter for the school.

Liberty, the civil rights group, is critical of the initiative. The pressure group suggests that drugs and alcohol abuse could be treated more sympathetically with counselling.

A spokesman said: "No one agrees with drug abuse, but there are ways of helping young people to kick the habit. The school's approach is not the answer. We would expect community relations to suffer as a result between young people, the police and the school."

Scuba, a golden retriever, is usually used to look for drugs in nightclubs around the Macclesfield area.



Steve Warren and Scuba at the school. The golden retriever usually searches nightclubs for drugs

Microchip solution to animal cruelty

By ELIZABETH JUDGE

PETS should have microchips injected into them so that owners who ill-treat them can be traced and punished, the RSPCA said yesterday. Although there were more than 3,000 convictions for cruelty to animals last year, a 17.5 per cent rise on the previous year, the perpetrators of some of the worst offences were not punished because they could not be traced, the RSPCA said. Tony Crittenden, Chief Officer of Inspectorate, cited the case of Sylvester the iguana, found wandering in a field in Somerset. Its tail had been severely burnt and it had abscesses and mites and intestinal worms.

Mr Crittenden said: "Such unsolved cases clearly show the need for animals to be microchipped so that pets are permanently linked to their owners. That way, unscrupulous owners who commit such cruel and barbaric acts of violence could be brought to justice."

A microchip the size of a grain of rice is injected into the animal by a veterinary surgeon. It lies under the skin at the back of the neck, giving the animal a permanent means of identification. All RSPCA inspectors and vets have microchip scanners. They can use these to scan a stray animal and if it has a microchip its owners can be traced.

The society has designated this Saturday as National Microchipping Day: pet-owners will be able to take their dogs and cats to local centres to have them microchipped at a reduced price. "Our inspectors work tirelessly to prevent cruelty but continue to see an increase in the number of animals found abused and living in appalling conditions," Mr Crittenden said.

Dogs remained the most common victims of cruelty, and convictions increased last year. One case highlighted was that of Libby and Lulu, two greyhound puppies left to starve for at least four weeks in an outside kennel in Blackpool. Their owner was banned from keeping dogs for three years. Convictions for cruelty to cats also rose, from 294 in 1997 to 318 last year.

Pill's all-clear for cancer may be flawed

By IAN MURRAY, MEDICAL CORRESPONDENT

RESEARCH that ruled out a link between breast cancer and the Pill may be flawed, according to a leading expert. He fears that as many as one in 18 women on the Pill face a breast cancer diagnosis before they reach 50.

Doubts about the safety of the oral contraceptive seemed to be ended in January with the publication of a 25-year study of 46,000 women that found that the tiny extra risk of heart disease or breast cancer vanished within ten years. Klim McPherson, of the cancer and public health unit at the London School of Hygiene and Tropical Medicine, fears this reassurance "may be seriously misplaced". He writes in the *Journal of Epidemiology and Community Health* today that the uncertainty arises from a change in the Pill's use.

Professor McPherson says that the women in the study were recruited in 1968, when it was difficult to obtain the Pill while unmarried. So most of them were married or in long-term relationships. This contrasts with today, when "long-term use by young, unmarried women is completely normal. [In 1968] the Pill was used largely for family spacing, now it is used largely for preventing unwanted pregnancies among the young."

The risk of breast cancer is increased among women for whom the time between starting to menstruate and having a first baby is longest. Professor McPherson says. But there is hardly any evidence about what the extra danger might be among those who were taking oral contraceptives for a long time before having a child, he says.

Exposure to the hormones in the Pill does seem to increase the danger of breast cancer. To know the effect of long-term use of the Pill on early-stage breast cancer and to find any increased risk means studies have to start now, Professor McPherson says. Not until 2010 will it be possible to say with any certainty what the risk is.

He compares the reassurances given about the Pill with those given about BSE.

LINKS

www.lse.ac.uk/ImperialCancerResearchFund
www.ccr.org.uk The Cancer Research Campaign. Both sites provide advice, information and research news on breast cancer

Messing about in boats linked to leukaemia

By OUR MEDICAL CORRESPONDENT

PEOPLE who build boats or sail in them are at extra risk of developing leukaemia, according to a study published today.

The danger comes from exposure to resins, solvents, paints and petroleum products, which are known to be risk factors for the disease.

The study by the department of community medicine at the Institute of Public Health at Cambridge University involved finding the post-code of all those over 14 diagnosed with acute leukaemia in East Anglia since 1981.

The findings, published in the *Journal of Epidemiology and Community Health*, showed that eight postcode districts had a small but significant increase in leukaemia cases. These areas were all adjacent to the major estuaries around the Norfolk and Suffolk coast, including the Stour, Orwell, Deben and Ore. The clustering was seen equally in men and women, both before and after the age of 65.

A study in 1990 also found a higher incidence of the disease among people living along the estuaries, but the new research shows the relative risk is twice that reported before.

The 1990 study blamed heavy metals and radioactive

substances found in estuarine silt. But the authors of the new report say that the level of maritime activity might be to blame since more people living round estuaries are likely to be working in boatyards or sailing, thus coming into frequent contact with the potentially dangerous substances.

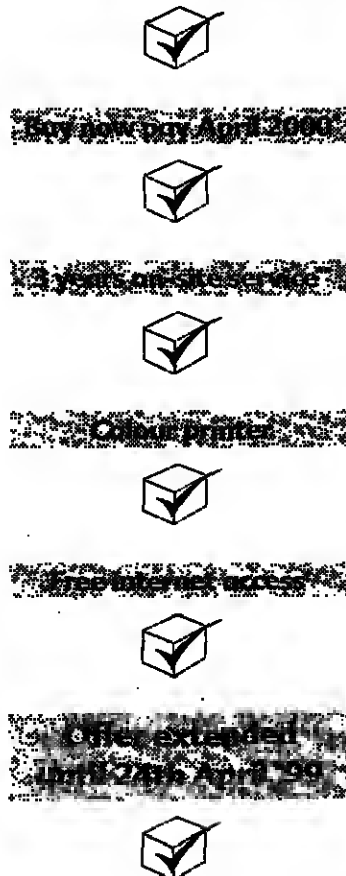
Paul Gelder, deputy editor of *Yachting Monthly*, said marine paints and solvents all carried warnings about the dangers of skin contact. "I have had a boat for 15 years but this is the first time I have heard of any link between leukaemia and paints."

Professor Nicholas Day, one of the report's authors, said: "The message is that do-it-yourself boat people need to be a lot more careful because they are using a range of chemicals that they don't understand. Organic solvents are at least as powerful as radioactivity and can cause cancers."

"Our study shows that the incidence of leukaemia round estuaries is double the normal rate. Our conclusion that messing about with boats is more dangerous is pretty speculative for a very rare disease, but the wise thing is for people doing this kind of thing to be very careful."

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Army 'unfair' on officer's adultery

By HELEN JOHNSTONE

A SENIOR officer dismissed from the Army after an adulterous affair with a high-ranking Wren whose career was unaffected is a victim of sexual discrimination and double standards, an employment tribunal was told yesterday.

The hearing into the sacking of Lieutenant-Colonel Keith Pople, 42, was told that the Royal Navy adopted a more lenient approach than the Army to social misconduct. Mr Pople and the 34-year-old Wren, who cannot be named, had a three-year affair after meeting at the Ministry of Defence.

Details of the affair emerged at a court martial last year when Mr Pople,

then the £45,000-a-year commanding officer of an Army Air Corps regiment, became one of the highest-ranking officers to appear before a military court. Mr Pople, who was sacked despite being acquitted of scandalous conduct or conduct to the prejudice of good order and military discipline, will learn today whether he can proceed with his claim for sexual discrimination and damages in the region of £500,000.

John Mackenzie for Mr Pople, told the tribunal at Southampton that his client, whose 20-year career ended in February, had been treated more harshly than his former lover. The Ministry of Defence rejects the claim.

Colonel Stephen Andrews, head of

the Army's disciplinary policy, said that each of the services had individual powers over their personnel. "The Army Board had ruled that his conduct was unbecoming an officer. A female officer in Lieutenant-Colonel Pople's case would have faced the same procedure."

Captain Annette Picton, the head of conditions of service in the Royal Navy, said that that service did not condone adultery, but did not consider it to be a disciplinary offence.

Ruth Downing, for the Defence Secretary, said that the tribunal should not make any comparison of the services' respective disciplinary codes.

The tribunal continues.

Ecevit quits as Turkey veers to right

Nationalist success sows seeds of Kurdish confrontation, writes Andrew Finkel in Istanbul

THE cold wind of Balkan nationalism penetrated Turkish politics yesterday as results of Sunday's general election became clear. Among the victors of a contest that stunned political analysts was the far-right Nationalist Action Party (NAP), whose 19 per cent of the poll makes it the second-largest group in parliament.

The party preaches a hard line on issues like Kurdish minority rights and feeds off Turkey's quarrel with Greece as well as Ankara's growing sense of isolation from Europe. Its success appears to have been at the expense of the

Islamic movement, which saw its share of the vote reduced to 15 per cent.

At the same time the Kurdish Nationalist Party consolidated its support. Although scoring less than half of the 10 per cent threshold needed to win parliamentary seats, it polled well at local elections held the same day. It now controls the greater Diyarbakir municipality as well as a handful of cities in the largely Kurdish south east.

These results set the stage

for further polarisation on the Kurdish issue. Even if the NAP does not find its way into government, it will be a brave Cabinet that refuses to approve the death penalty for Abdullah Ocalan, the head of the Kurdistan Workers Party, who is about to face trial.

But just how the NAP will use its new power remains a mystery.

The party failed to win any seats at all at the 1995 election and its leader, Devlet Bahçeli, a very private man, has virtual-

ly no public persona. He wrestled control of the party from both the widow and the son of Alparslan Türkeş, the party's founder.

Mr Türkeş once tried to reform the party's image as a paramilitary force of "grey wolves", which picked violent quarrels with leftwingers during the 1970s.

Some of those cadres were later recruited by Turkish intelligence and used against "enemies of the state", including Kurdish activists. The justice

system, meanwhile, has reacted sluggishly to newspaper claims that several NAP militants also have links with organised crime.

Most commentators assumed it would be Bülent Ecevit, the outgoing Prime Minister, who would receive credit for the capture of Mr Ocalan in Kenya last February. His Democratic Left Party, itself deeply critical of Turkey's treatment by the European Union, did emerge as the overall winner with 22 per cent

of the vote. Mr Ecevit handed his resignation yesterday to President Demirel but is expected to stay on as caretaker. Although he will almost certainly be given the mandate to form a government, with only 131 deputies in the 550-seat parliament, this will mean finding not just one but two coalition partners.

One possibility is that he will persuade Mesut Yılmaz of the Motherland Party to end his feud with Tansu Çiller of the True Path Party. Both

right-wing leaders saw support drop to some 13 per cent.

The election result comes as a blow to Recai Kutan, leader of the pro-Islamic Virtue Party. Many voters appear to have abandoned him in the belief that the country's military would never let the Islamists take power.

Recent celebrations for the 75th anniversary of the Turkish Republic were used to proclaim the commitment to a secular future. However, by harnessing the Virtue Party, Turkey's generals may well have let the more dangerous nationalist genie out of the bottle.

WORLD IN BRIEF

Arafat is accused of electoral meddling

The Israeli Prime Minister has accused Yasser Arafat, President of the Palestinian Authority, of interfering in Israel's election campaign on behalf of his main rival, Ehud Barak, the Labour Party leader (Christopher Walker writes).

Benjamin Netanyahu claimed that Mr Arafat was working behind the scenes to persuade Amr Bishara, the first and only Israeli Arab candidate for Prime Minister, to drop out of the race and swing his Israeli Arab votes behind Mr Barak. Mr Netanyahu and Mr Barak are running neck and neck in opinion polls for the May 17 election and the Arab vote is vital.

Top Briton

New York: Mark Malloch Brown, a vice-president of the World Bank, will become the highest-ranking Briton in the history of the UN after being named head of its development programme.

Land feud toll

Lagos: Dozens of people have been killed and thousands displaced during clashes between two communities in Nigeria's eastern Anambra state. The feud, over land rights, began in 1995. (AFP)

Nazareth snub

Jerusalem: Israel, ignoring protests from the Vatican, has authorised the building of a mosque next to the Basilica of the Annunciation in Nazareth, one of Christendom's holiest shrines. (AFP)

Migrant deaths

Budapest: Twelve people were feared drowned in Hungary when a boat carrying illegal migrants capsized in the River Tisza. Border guards arrested 17 Afghan and five Pakistani survivors. (Reuters)

Death of Stoph

Berlin: The former Prime Minister of East Germany, Willy Stoph, has died at the age of 84. He was the country's leader from 1964 to 1973 and again from 1976 to 1989. (AFP)

Gandhi ruling

Delhi: A playwright's plea for a new investigation into the 1948 assassination of Mahatma Gandhi, for which a Hindu fanatic was hanged, was rejected by the Indian Supreme Court. (AFP)

Lions rampant

Addis Ababa: A pride of lions has driven off a pack of hyenas after a bloody two-week battle in Ethiopia's Gobebe desert. Six lions and 35 hyenas were killed; the state news agency reported. (Reuters)

Moscow threat to arrest ailing Berezovsky

FROM ANNA BLUNDY IN MOSCOW

AN arrest warrant for Boris Berezovsky, the billionaire businessman with ties to the Yeltsin family, may be issued after he returned to Russia to face charges. He checked straight into hospital, prompting suspicion that he is trying to avoid interrogation.

Russia's most influential tycoon is accused of embezzling millions of dollars from Aeroflot, the former Soviet airline, and hiding the money in a Swiss bank. He has close business links with President Yeltsin's family. An arrest warrant was withdrawn after he announced in Paris that he would return to Moscow.

Mr Berezovsky arrived in Moscow on Sunday and entered Central Clinical Hospital, citing back problems. Nikolai Volkov, an investigator from the Prosecutor General's office, said: "If Mr Berezovsky is indeed sick, we will not bother him. But if we feel that he is avoiding meeting with us on any pretext, we may issue a new warrant."

Mr Berezovsky protests his innocence, saying that he is the victim of a witch-hunt led by Yevgeni Primakov, the Prime Minister. "If I had wanted to play with the Prosecutor General's office I simply would not have returned to Moscow," he said yesterday from his hospital bed. He said

that his back had been a problem since a snowmobile accident last year prompted "very complicated" spinal surgery.

He agreed to a hospital meeting with Mr Volkov. His lawyer said that Mr Berezovsky would remain in hospital for three or four days.

Only days ago Mr Primakov was in the same hospital and Mr Yeltsin has spent much of the year there, suffering from back pain.

Yevgeni Volk, director of the Heritage Foundation, a think-tank, said: "I am ready to believe that Boris Abramovich [Berezovsky] has a bad back, but lately there have been too many bad backs for my liking."

"Berezovsky could not seriously have remained abroad at the risk of being humiliatingly extradited, and his business interests in Russia are too great to abandon."

Mr Berezovsky's return is testimony that Mr Primakov's power is waning and that President Yeltsin is back at the helm. Many believe that Mr Berezovsky's immunity from prosecution is dependent on the tacit support of Mr Yeltsin.

Mr Volk said: "He is counting on Primakov stepping down soon, maybe next month after the impeachment proceedings against Yeltsin fail and until then he is just hoping to keep a low profile."



Stig Saegrov with Nikita. The 38-year-old fish died last month because too much salt water was put into its tank

Norway fishes for a Russian gift



Khrushchev, left of tank, hands over Nikita in 1964

NORWAY'S leading aquarium is to ask Boris Yeltsin for a new sturgeon to replace Nikita, a fish donated by the Kremlin in the 1960s, which has died from an overdose of salt water. Nikita was one of four fish given to Norway by Nikita Khrushchev in 1964 as a symbol of hope for better relations between the two neighbours. Staff at the Bergen Aquarium named it in his honour after it outlived the others. "We understand it's not top priority, but if Russia would be so kind as to give us a new sturgeon, we would be incredibly grateful," said



Stig Saegrov, the aquarium's director. "We would call it Boris." Nikita was about 38 when it died. Sturgeons come from the Caspian Sea, which is not salty because of the many rivers that feed it.

French auctions 'inflating bids'

FROM SUSAN BELL IN PARIS

AS THE French authorities drag their feet over opening up the country's lucrative art market to international auction houses such as Sotheby's and Christie's, a well-known antiques dealer has accused auction houses here of inflating sale prices.

The accusations appear in a book by Hubert Duez, who writes a weekly antiques column in the respected Catholic daily newspaper, *La Croix*. Entitled *Secrets d'un Brocanteur*, the book lifts the lid on the French antiques trade.

M Duez reveals what he claims are widespread scams allegedly involving top French auctioneers, including Hôtel Drouot. According to M Duez, French auctioneers regularly

pretend to take non-existent bids in crowded salerooms in order to force up the prices.

Thus, a buyer who would otherwise have obtained a vase after bidding, say, Fr1,000 (£105), ends up paying twice that after bidding against a fictitious rival.

Another trick allegedly in vogue is the removal of the most valuable item after the pre-sale viewing.

A spokeswoman at Drouot dismissed the accusations. "The confidence of our clients is the best proof that these things happen only very rarely. We do not wish to enter into an argument with a person who obviously understands very little about how auction rooms function," she said.

When Capitol kept its mouth shut

THE remains of a 19th-century bordello once frequented by American politicians, lobbyists and powerbrokers, have been uncovered only yards from Capitol Hill. The discovery is a testament to Washington's pre-Monica Lewinsky sexual morality.

Researchers digging on a grassy stretch of The Mall in the shadow of the Capitol have uncovered champagne bottles, gilt china and brickwork on the site of what was once a thriving brothel catering for "men of wealth and distinction".

The three-storey "parlour house", run by the redoubtable Mary Anne Hall, flourished throughout the Civil War and for many years afterwards without the slightest hint of scandal. It offered luxurious surroundings, complete discretion and women "noted for their youth, beauty and social refinement".

Ms Hall knew how to wield her influ-

Ben Macintyre has a glimpse of pre-Monica morality in Washington

ence. Her name never once appears in police files, and she retired a substantially wealthy woman after renting out her "parlour house" as a women's clinic.

"She was obviously a successful, independent woman and she clearly maintained connections throughout her life," said Donna Seifert, who has unearthed the remnants of the former brothel.

Washington's premier madame also knew how to keep a secret, and precisely which senators, congressmen and other figures used her services has never been revealed.

"Unfortunately, we never found her li-

tle black book," Elizabeth Bartfield O'Brien, another archaeologist working on the site, told *The New York Times*. The archaeologists said it was quite possible the prostitutes were also employed by lobbyists to influence legislators.

Houses of prostitution were not banned in Washington until 1914, and the bordello at 349 Maryland Avenue, with its imported carpets from Belgium and suites of furniture upholstered in red plush, was rated at the top of a list of 450 similar establishments in Washington drawn up by the Federal Provost Marshall's office in 1862.

Mary Hall died in 1886, aged 71. She was buried beneath a large tombstone in the Congressional cemetery and obituaries competed to sing her praises. *The Washington Evening Star* mourned the passing of a madame who kept her door always open, and her mouth closed.

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Korea stages a royal pantomime

Alan Hamilton in Seoul sees actors in traditional dress re-enact rituals of the past in welcoming the Queen

KOREA was deprived of its ancient monarchy 89 years ago by the colonising Japanese, but it can still stage a respectable show of pomp to welcome a surviving member of the royal sisterhood, even if it means employing actors.

The honour guard drawn up on the lawn in front of the presidential residence in Seoul to receive the Queen at the start of her four-day state visit yesterday was colourful, numerous and well-drilled. The army, navy and air force contingents were real enough, and their band commendably familiar with the marching strains of that trusty parade ground warhorse *Old Comrades*.

But the contingent in the elaborate 15th-century red-and-blue parade dress of the Yi dynasty that was drawn up for the Queen's inspection, was in fact a group of thespians. At least they have regular work - to amuse tourists they have recently been employed to enact a daily changing of the guard at Seoul's old Royal Palace, where Princess Yi Pang-Je, the last survivor of the Korean Royal Family, died in 1894 at the age of 87.

The Queen and the Duke of Edinburgh were looking tired after an 11½-hour overnight flight from London, which is much to ask of a woman who will be 73 tomorrow and a man who will shortly be 78. They were driven from the airport in a top-of-the-range Dae-woo. It was unfortunate timing, as at that very moment the car's manufacturer, one of Korea's main industrial conglomerates, was announcing a severe downsizing and disposal of huge businesses.

Nor was it the best timing for President Kim Dae Jung, the Queen's host. He is facing the threat of a series of general strikes over the tough measures that he has implemented

to revive the Korean economy after its collapse in 1997. The fiscal medicine has been painful, and there are still more than a million unemployed, but it appears to be working, with the first installment of a \$38 billion IMF loan already repaid.

The President arrived separately in an open-topped Cadillac with security men hanging from the doors of his motorcade in true US Secret Service style. Given the 30,000 American troops stationed permanently in his country, such influence is difficult to avoid.

While President Clinton - who received an identical welcome on a recent visit - inhabits the White House, the Korean President lives in the Blue House, so named for the colour of the 160,000 tiles on its roof. The official residence looks traditional, but dates only from 1990; its grounds are nonetheless a haven of calm in an unlovely city of tower blocks slashed by choked ten-lane highways and susceptible to smog.

Queen and President inspected the honour guard, talked to children from Seoul's British school and were introduced to each other's suites. The Duke accompanied the Korean First Lady, Lee Hee Ho. The Queen's dress and that of Mrs Lee were just sufficiently different shades of pale blue.

Before entering the Blue House for an exchange of pleasantries that one Seoul newspaper yesterday billed excitedly as a summit meeting, the Queen and President Kim did a lap of honour around the lawn in the Cadillac, while a band of musicians in medieval dress playing 15th-century trumpets and drums performed an ancient and atonal air that sounded as if it had been lifted from the Sir Harrison Birtwistle songbook.

The ceremony, conducted in warm sunshine, was televised live throughout the country, such is the importance the Koreans are placing on a state visit from an increasingly important trading partner. The ties have always been strong, if slow to be recognised by Britain. In 1953, a month before the truce, the country's then leader took time off from running the Korean War to attend the Queen's Coronation in London.

The Queen's first official duty, in common with all state visitors to Korea, was a more solemn one. She laid a wreath and cast three handfuls of incense into the eternal flame at the National Cemetery, which covers 343 acres and holds the remains of more than 102,000 war dead and other patriots, mainly Korea's own, but also many Vietnamese mercenaries. But one does not have to die in battle to gain admission; there is also a "Burial Plot for Meritorious Citizens".

During her reign, the Queen has seen enough traditional dancing to last several lifetimes. Yesterday afternoon she was offered something entirely different and very Korean - a breathtaking display by 60 children in a school gymnasium of the martial art of taekwondo, in which the principal weapons are the feet.

In a perfectly drilled and fast-moving show of prowess, children as young as seven leapt high into the air to smash blocks of wood held aloft by pyramids of their peers, or flew over a line of eight crouched comrades to shatter still more timber with their feet.



The Queen arrives at the Midong Elementary School in Seoul, where 60 pupils laid on an acrobatic, timber-smashing display of taekwondo

La Niña fans fire towards Miami

FROM DAVID ADAMS IN MIAMI

FIREFIGHTERS in Florida are battling a blaze eight miles long that has scorched an estimated 100,000 acres of the Everglades National Park.

The fire has forced airline traffic to be diverted, closed main roads and threatened to cut electricity lines to Miami.

Southerly winds at the weekend caused panic in the city when the sky was blacked out for an hour by a cloud of heavy smoke. The weather system La Niña has brought months of abnormally low rainfall that have left the Everglades dangerously dry. Florida lost 500,000 acres to brush fires last year, but it could be far worse this year.

"We're in very dangerous, high-burn conditions," said Frank Poica, deputy chief of the state's fire services. Already this year more than 2450 fires have burnt 130,000 acres.

Last week a sudden fire swept through the town of Fort St. Louis, destroying 43 homes and damaging a further 33. Residents described a lowering wall of fire rolling through like a huge wave, accompanied by the sound of an approaching train.

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WORLD IN BRIEF

Delay on Kabila peace deal

Kinshasa: President Kabila of the Democratic Republic of Congo postponed for 24 hours an address that was expected to give details of a Libyan-brokered ceasefire in the republic's nine-month civil war. Libyan state media reports said that a deal signed by Mr Kabila and two other leaders raised hopes for an end to the conflict. (Reuters)

Look that killed

Seattle: Harminder Singh Virk, 54, who shot his daughter Ranjit, 18, seven times after she gave him a dirty look, was convicted of first-degree murder by a court in Kent, Washington. He faces a minimum of 25 years in jail. (AP)

Cranberry alert

Moscow: Russian authorities have seized 530lb of radioactive cranberries in Moscow markets. Tass news agency reported. The berries showed radiation levels 15 times higher than is safe. It did not say where they came from. (AFP)

Volley of protest

Sydney: Residents of the suburb of Bondi have threatened to lie down in front of bulldozers to prevent an Olympic volleyball stadium being built on the beach. They say it will disrupt business and cause safety problems. (AFP)

How to find a path through the pain of divorce

THE GOOD DIVORCE GUIDE

In the first extract from her new book on surviving the break-up of a marriage, **Simone E. Katzenberg**, a family solicitor, details the seven stages of divorce, from breakdown and shock to acceptance

Do you want a divorce? Perhaps you do, but the prospect is frightening and you do not know where to turn. The questions are building up, consuming your every waking moment. Or perhaps you are adopting an ostrich-like approach: if you pretend it is not happening, it will go away.

You may be between the two: not happy, just finding life dull as you wait for some life-changing event to transport you from the mundane to an exotic, carefree existence. Or you may have met someone else and be one of those people who marches into a solicitor's office and says: "I want it to be quick, I want it to be cheap. I want it to be amicable."

It is not that simple. In reality you are lucky if even one of these aims is achieved. The work of the solicitor is only a small part of the process that leads to divorce. The other part, the emotional one, is more difficult — but until both of you have acknowledged and worked through the emotional stages, you will find it impossible to negotiate settlements or to finalise legal proceedings.

I believe there are seven emotional stages to divorce that everyone will experience. By being aware of these — and of how difficult they will be — you can consider whether there is a way to save a relationship rather than leaving when the going gets tough.

BREAKDOWN

The breakdown of a relationship can take months or years. You drift apart, lose interest in each other, are constantly under stress and frequently cannot be bothered to talk to each other. You may stop sleeping together, and intimacy you shared ceases. You may row endlessly or not talk to each other for days. You may mentally switch off as soon as the other starts to talk, your mind wandering in a fantasy world.

The catalyst will often be an affair or one argument too many. This may precipitate discussion about the "D" word, a word you are frightened to articulate, yet you feel the inevitability of it creeping upon you.

The decision to separate and perhaps to divorce is an extremely difficult one. You will change your mind over and over again. Do not despair: it is quite usual to feel confused.

You want to be certain that you have explored all the alternatives and that if you decide to separate and ultimately to divorce, it is the only option open to you.

During this stage I would recommend that if there is any prospect of resolving your differences, you try to do so. You are likely to need the help of an independent third party in the form of counselling. Although you need to inform family and friends of the situation, it is sometimes better not to tell them all the reasons for the breakdown, primarily because they will take sides, advise you and judge your partner. Stick to the professionals

You drift apart and lose interest in each other

for advice. We know our areas of expertise; we do not judge you and, because we are not involved with you, we can provide sound advice.

Contacting a solicitor need not sound the death knell of your marriage. The first meeting with a solicitor is usually a fact-finding exercise, an opportunity to ascertain your rights, to discuss what to expect and to determine the possible outcome. This enables you to make an informed decision when you are ready. The worst possible thing anyone can do is to act on impulse.

This is the longest stage and perhaps the most difficult. It is frightening and lonely. At this time my advice is: if in doubt, don't. One day you will wake up and find that you have made the decision, be it to stay together and work it out, or to separate. Take whatever time you need and do not let others rush you.

SHOCK

Facing up to the fact that there is no prospect of reconciling your differences leaves you in a state of shock. You may wander around in a daze, become absent-minded and careless

and are likely to lurch from one emotion to another and back again. You cry, you scream, you shout, you withdraw at times. You go to bed exhausted by worry; you sleep restlessly and wake with a dull ache that does not go away.

Tell those close to you what is happening, although it is preferable to discuss the more

intricate details with a counsellor who will not take sides. Concentrate on small, everyday tasks. There is no short cut: one day you will wake up feeling stronger and start picking up the pieces of your life.

ANGER

Anger will strike out of the blue and can be explosive. You

are unable to say your partner's name without spitting venom. You want your partner to come back crying and begging for forgiveness only so that you can reject him or her and your partner can know how it feels. You swing from dreaming of revenge and pure anger to feeling sad and insecure. During the troughs you convince yourself that you are entirely to blame, even though in moments of rational thought you know that is not true.

Without warning, something or someone will trigger you and you are likely to react in an uncharacteristic and often regrettable way. It is during these explosive episodes that you need someone for you, someone who will not judge you, criticise you or fire you up. The temptation to use the children or money as an excuse for further anger and revenge is ever-present. This should be avoided at all costs. Don't prevent the children from seeing the other parent or stop paying money as a way of punishing your partner. All this will do is to make the separation more acrimonious. You may not always be able

to control your anger. But if you understand what is happening, you will be able to reflect and act rather than reacting thoughtlessly.

PAIN

By now you probably know whether there is a chance of reconciliation or if a divorce is inevitable. Remember that at any time until decree absolute, if you both want to reconcile you can and should do so. Your anger will have ebbed, although it will still erupt from time to time, and your confidence will have hit an all-time low. What takes the place of anger is deep pain. If you are separated, the pain will gradually decrease in intensity and frequency. You will find that short periods of time will pass when you have concentrated on the task before you and have not thought about your partner.

You want everything to happen fast. Yet it drags on, solicitors' letters going backwards and forwards, always asking for more information.

Your partner may appear to be ready to negotiate, whereas in reality he or she is playing mind games and using delaying tactics. You may feel the end of your tether.

Another big area of conflict can revolve around meeting the "other" person.

Wherever possible, any new person should be introduced to the children with careful planning and sensitivity. It will be difficult for them to accept anyone new, particularly if that person is depicted as evil and



The breakdown of a relationship can take months or years. You drift apart, lose interest in each other, are constantly under stress and frequently



Spitting venom: anger will strike out of the blue and can be explosive

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'Will I ever see mummy again?'

IN RECENT years divorced parents have been denied the emotional comfort of the standard defence — that it was better for a child to grow up apart from one parent than to live with two quarrelling ones.

Within limits, an unhappy domestic atmosphere, or one chilled by the lack of loving communication between parents, is not, it seems, as damaging for children as being, as they see it, abandoned by one or the other parent and thus deprived of a complete household. At every family occasion the absence of one parent is achingly obvious and highlights a child's deprivation. In any context children don't like being different, and don't like their friends being different.

Children are acutely aware of tensions between parents, and the latter delude themselves if they think that by retraining from throwing plates at each other their problems will not be noticed by observant two and three-year-olds. Snide remarks, meaningful silences and a general lack of easy communication are picked up by children of all ages. They feel the pain felt by their parents and are more likely to become quiet and withdrawn when younger, delinquent when older.

Children need both parents not only to provide plenty of love, support, attention and reassurance but also as role models whom they can admire and emulate. Upset little

MEDICINE CHEST

DR THOMAS STUTTFORD

children are not only withdrawn but are also clinging, irritable, demanding, attention-seeking and, frankly, maddening. At these times a young child needs the security provided by additional love and reassurance, however unappealingly they may be behaving. Older children, when they feel miserable and neglected, are adept at demonstrating all the most trying aspects of teenagers.

The authors of *Child Health*, edited by Professor David Baum and Dr Susanna Graham-Jones, suggest that the response of children varies according to their age. Even toddlers notice the absence of a parent and, when older, the pre-school child becomes concerned about that parent's physical welfare. Will Daddy — for it is usually Daddy — be warm, have food? Worst horror of all — and a common anxiety in small children — will he die? Even when parents are separated from small children for a short time, sooner or later the plaintive voice of insecurity is heard: "Will I ever see Mummy again?" Worries of death

and disaster become greater as the child grows older, and with these increasing anxieties comes guilt that they may have been responsible for the break-up. Occasionally problems surrounding children are a small factor, but more commonly in family quarrels parents may use children as weapons in their mutually destructive war.

AS schoolchildren become adolescents, so they are increasingly involved in matrimonial strife. Some may take sides spontaneously; often, so far as a bystander can judge, unreasonably; but in other cases they are deliberately brought in by the parents.

Whatever the child's age it is important for parents to explain that they would much

rather have kept the family together if it had been possible, that they will continue to see them as much as can be arranged, and above all that the divorce is not their fault and does not express any lack of love for them. These messages must be spelled out simply and often, however banal they may sound when delivered to a sullen, unhappy teenager.

Older children need to be dissuaded from taking sides: to achieve this, parents should save any criticism of their erstwhile mate for confidants. However tearful and upset they may feel, sobbing, shouting and door-banging must remain private indulgences, to be resorted to only when the children are out of the house. When the children are at home the house must, in the

interests of reducing hostilities, become neutral territory where partisanship and recriminations are not allowed. Parents must also understand that a child's desire to see the other parent does not represent disloyalty, but merely a desire to maintain the remnants of the status quo. For years after a divorce children will continue to plot and pray for a reconciliation.

There is little place for the contents of the medicine chest when dealing with the fallout from a divorce but it should be remembered that an emotional crisis of this sort can precipitate a depressive illness in a child — and depression in childhood and adolescence is much more common than is realised and may require medication.



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cannot be bothered to talk to each other. You may stop sleeping together, and intimacy you shared ceases. You may row endlessly or not talk for days



Your thoughts are filled with ways in which to punish your soon-to-be ex-partner

wicked. Rest assured, no one can ever replace you. Try not to let your feelings towards your partner affect contact. Continued contact is so important for your children. This stage often passes in a couple of months.

HATRED
While this is the worst stage, it is also the turning point. It is an accumulation of events and the apparent lack of progress that make you feel rage. You would gladly give up everything and start life with a new identity in a new country. Your thoughts are filled with ways in which to punish your soon-to-be ex-partner. You have forgotten what it is like not to struggle emotionally and financially. Even if it was your choice, you have your partner for making you struggle and suffer, for disrupting the children.

You will feel frustrated by your contrasting emotions:

you want to move on, yet you are still tied to the past. Although the end may be in sight, one or both of you may not yet be ready for the finality of divorce. This is the crux of the process: the combination of hatred, fear and sense of loss means that each one of you get close to settlement, one or both of you sabotages it. It would be foolhardy to withdraw reasonable proposals or to demand unrealistic deadlines. It is costly both emotionally and financially when an agreement cannot be reached and the outcome is determined by the court. But given time you will become war-weary. You will want to solve the problems more than you want to continue fighting. Your aggression will start to feel like a waste of energy. You may be willing to allow the children to spend a night, a weekend or even a week with the other parents, and you will realise that without doing, you have moved on from the hatred stage.

The fight has gone, to be replaced by the will to survive

GRIEF
The fight in you has gone, to be replaced by the will to survive. You now want the finality that divorce will bring. You may be so fed up that you cannot be bothered to argue any longer and wonder why you became so wound up about keeping the silver candlesticks that you didn't even want. Often at this stage it all seems suddenly to click into place. Facing up to

the end of a marriage gives you the chance to mourn its loss. If you are not used to sharing emotions, you may find it difficult to cry and feel sorry without feeling weak or bad. It sometimes helps to write a letter that you would like to send to your partner, even if you never intend to send it.

ACCEPTANCE
The final stage is often an anticlimax. You will have accepted the divorce and may be entrenched in a new lifestyle. Sadly, for some the acrimony continues long after the legalities have been concluded because one or both of the parties is emotionally stuck at one of the previous stages.

It is important that you concentrate on your own well-being and do not get drawn back into destructive patterns of behaviour. If you start to feel drawn in emotionally, go back to your counsellor or make an appointment to see

one. If it is a legal matter, pass it back to your solicitor. If there are children, you and your ex-partner will still have to see each other. If you cannot face each other by now, don't. Make arrangements so that direct contact between you is avoided. In time you may become friends or lose contact altogether.

You will have established new routines, made new friends and developed new interests. There will be times when you still feel sad and angry, but that is to be expected.

● British Association of Counselling 01783 578325

Extracted from *I Want a Divorce?* by Simone E. Katzenberg, published on May 6 by Kyle Cathie, £9.99. Copyright 1999 Simone E. Katzenberg. Times readers can order this title for £7.99 with free p&hp by calling The Times Bookshop on 0990 134459.

'I love to hear couples say that they've been married for ever'

Solicitor Simone E. Katzenberg on her insights into divorce. Interview by Moira Petty

The day she saw three divorcing husbands, one after the other, each irrational with rage, thoughts at the back of the solicitor Simone Katzenberg's mind recoiled. "These three men were angry and shouting that they were going to leave the country," she says. "I realised that they were going through the same emotions."

It was then that she decided to write her book, *I Want a Divorce?*, tracking the emotional fallout of divorce as well as the legal niceties. The empirical observations of more than 15 years in the divorce arena enabled her to identify seven emotional stages through which all her fraught clients passed.

"It was all there in my head," says Mrs. Katzenberg, 43, a partner in the solicitor's firm Ross & Craig, in the West End of London. She had three aims in mind. The first was to prepare divorcees for what would follow: "I found that it's more difficult for them than they think it will be."

Secondly, she wanted to reassure them that the horrors would pass. "When they think they're going mad and coping worse than anyone else, I want to give them hope that it will end."

Her third wish is to put people off divorcing where possible, and suggests counselling or mediation. "I don't want them to think later: 'If only I'd tried harder'. Divorce is never the soft option. I'm pleased if they can save their marriage."

Mrs Katzenberg believes that all divorcing couples go through the seven emotional stages (breakdown, shock, anger, pain, hatred, grief, acceptance), although not necessarily at the same time or speed. The process can take from two to five years. Being in tune with the client and the partners' emotional states helps her to deal more effectively with the legalities.

"Quickie divorce" is a phrase she hates because it reflects only the legal, not the emotional, journey. The most dangerous stage is anger, when actions can range from mean-mindedness to criminal damage. "I try to find out how likely they are to blow up.

They can be so vicious that they do things like cutting the arms off a partner's suit. They confess they've done something terrible, but didn't want to call me because I would have talked them out of it. Some send e-mails to everybody they know living all the terrible things their partner has done. I had a case where the wife refused to give her husband his belongings. She left them in binbags out in the rain. That maliciousness



Inside knowledge: Simone Katzenberg

doesn't achieve anything."

Mrs Katzenberg has been happily married to an accountant since 1982 and they have three sons, Joshua, 14, Gideon, 11, and Ethan, six. They moved from their native South Africa to London in 1986 and Mrs Katzenberg had to requalify. She sat her law exams in Nottingham, taking her young baby and toddler with her. "I knew no one when I came to Britain and couldn't have coped without the support of my husband."

When she was first articled to a divorce lawyer in Johannesburg, she was shocked by the intensity of feuding couples' feelings. She would like to see MoTs for marriages and thinks that those most in danger were entered into for the wrong reasons — pregnancy, on the rebound, or to leave home. "Nothing surprises me now," she says. The worst

cases are when the children are dragged in, although she says: "It's hard to be an ideal divorcing parent. I've known fathers who have gone to pick up the kids and been left sitting in the car for ages. She will block him when he rings up to speak to them. Or she might stick her hand out of the door and tell him that he can't take the kids out unless she gets more money."

"The fathers can be just as difficult, flaunting the new girlfriend, arriving too early or late, or saying they've no money and turning up in a fancy new sports car."

There are gender differences. "Men love spreadsheets. I've never had a woman bring one in detailing the finances. I understand if a poor frazzled woman who's never opened a chequebook employs a biller of documents in front of me but it's cheaper if you are organised."

In the case of elderly couples married for a long time, Mrs Katzenberg has only ever seen wives ending the marriage. "They say: 'I can't bear to look at him any longer'. For others, 40th or 50th birthdays are often a trigger for divorce, as are the children leaving home. Often one partner will have been planning it for five or ten years, while the other will be "white-faced with shock".

Adultery is a symptom rather than a cause of a bad marriage. "They're vulnerable, then meet someone who gives them the courage to leave."

Divorced clients can become dependent on the solicitor to whom they pour out their woes. "Some say 'what will I do without you to talk to?' I tell them, 'you'll find something else and it won't cost you as much. I'd rather see a settlement and let them enjoy the benefits."

"The court is never the place for revenge. I tell clients the best revenge on the partner is to make a new life for themselves and be happy."

Spending her days immersed in the worst of marriages does not cast her in gloom. "I never see the happy ones at work so I just love it when I meet couples socially and they tell me how they've been married for ever."

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CHANGING TIMES

THE GOOD UNIVERSITY GUIDE

Individual strength is what counts, says John O'Leary

Rankings of whole universities are useful as a guide to the standing of your chosen place of study, but it is the strength of individual courses that matter most to applicants. Even top universities have their weak points, and generally modest performers have centres of excellence.

The subject tables published over the next two days make those distinctions in 17 academic areas where English teaching assessments have been completed in the past year. Today's cover the arts and social sciences, bringing recognition in different subjects to Keele and Kingston as well as Oxford and Cambridge.

Each university is judged on a combination of teaching and research and entry grades. The tables weight the three factors to mirror our overall university ranking, so the funding councils' assessments of teaching quality carry a weighting of 2.5, research grades 1.5, and the average A-level grades of entrants 1.

The system recognises the importance to applicants of the teaching ratings, which take into account the strength of the curriculum, student support and guidance, library facilities and quality assurance, as well as the standard of lecturing. Carried out by the Quality Assurance Agency (QAA) on behalf of the three higher education funding councils, each assessment is available on paper or via the QAA's website (<http://www.qaa.ac.uk>).

Because the assessments are carried out on a rolling programme, some subjects, including high-profile examples such as medicine and biology, are yet to be completed in

How to choose the course that suits best

England. To complicate matters further, the separate bodies for Scotland and Wales have approached subjects in a different order, so a few departments that would have featured in today's tables are yet to be assessed.

Though all three countries now use the same rating system, this may not survive the new round of inspections due to commence in 2001. Partly to stop the compilation of league tables, university vice-chancellors have been pressing for numerical grades to be abandoned.

So far, ministers have resisted such a change, but the shape of future reports is still uncertain.

Trials of different forms of reporting are taking place in three subjects and 21 institutions. John Randall, the QAA's chief executive, said: "There are conflicting pressures. It may be the end of the year before we reach agreement."

Today's subject tables bring the total included in the paperback version of *The Times Good University Guide* to 41. The full set will also be available on *The Times* website

(<http://www.the-times.co.uk>). There are only marginal changes to those published last year because the teaching and research assessments for those subjects have not changed. Among the arts and social sciences, Cambridge remains ahead in anthropology, with the London School of Economics, Manchester and Brunel close together in the following places. Cambridge is also the leader in architecture, with Sheffield second.

Business has the University of Manchester Institute of Science and Technology at the top of the table, followed by Lancaster, Warwick and the London School of Economics. Oxford is top for English, with University College London and Cambridge next. The positions are reversed for French, with Cambridge first and Oxford second.

Cambridge also leads the history table, which has Warwick in second place and King's College London third. Iberian languages continue Cambridge's domination, although Queen Mary and Westfield College, Birmingham and Aberdeen are not far behind.

The story is repeated in Italian, with Cambridge top and Exeter second. Cambridge pips Oxford to top place for law, but London University's School of Oriental and African Studies is top-rated for music, with neighbouring King's College next.

Sheffield is the clear leader for Russian, with Cambridge in second place. The London School of Economics beats Loughborough to the head of the table in social policy, while Lancaster and York share the top spot in social work. Warwick is well ahead of the field for sociology, with Edinburgh, Sussex and Loughborough next.



Bridging the gap: a Kingston University student goes into action by the Thames

SEVENTEEN NEW SUBJECT TABLES, COVERING THE ARTS AND SOCIAL SCIENCES

AMERICAN STUDIES

Keele comes in top in this first-ever ranking for American studies, ahead of traditional bastions of the subject such as East Anglia. Both universities score a maximum 24 for their teaching assessment, a feat also matched by Central Lancashire.

Birmingham, ranked seventh, sets the highest standards for entry at 27 A-level points. No university in the list scores a 5* the top grade for the research assessment exercise, but Keele, Nottingham and Sussex all do well on 5.

Only 13 universities offer American studies. The Quality Assurance Agency for Higher Education assessors noted that with some providers the small number of first-class degrees was a disappointment. Keele avoids being tarred with this brush because a significant part of its success is the high proportion of students achieving good results. In 1997 just short of 10 per cent of firsts candidates achieved firsts and more than 60 per cent upper seconds. Mature students scored particularly highly.

1 Keele	100
2 Nottingham	90.21
3 Sussex	88.3
4 East Anglia	84.96
5 Reading	79.89
6 Hull	79.52
7 Birmingham	79.51
8 Kent	75.73
9 Central Lancashire	71.09
10 Middlesex	70.11
11 Brunel	68.81
12 Wolverhampton	67.12
13 Swansea	46.31

DRAMA, DANCE & CINEMATICS

Five universities achieved maximum points in the assessment of teaching quality for drama, dance and cinematography. But Warwick's high grading for research and the equivalent of an A and two Bs at A-level for every entrant secured top place.

Royal Holloway, the London University college in Egham, Surrey, could have pipped Warwick as the only department to record a maximum score in the last research assessments. But one dropped point for teaching quality left it in second place. A lack of space for practical activities was the only blemish in an otherwise glowing report.

With an impressive and busy arts centre as the centrepiece of its campus, Warwick is an appropriate winner. The assessors' report on the theatre and performance studies degree said there was a "stimulating learning environment supported by the culture of research and artistic activity in the school and university".

Of the other top scorers in the teaching assessments, Lancaster, Hull and Kent all have high entrance requirements. But Reading's entrants averaged fewer than three Cs at A-level. Manchester had the highest A-level score, but in a generally high-scoring teaching assessment, a relatively modest 21 points out of 24 left the university out of the top ten. Glamorgan, in tenth place, was the best-placed new university.

The subjects are increasingly popular, showing increased applications this year. There

were already about ten applications to every place, with the ratio for some specialised courses reaching almost 50:1.

1 Warwick	94.67
2 Royal Holloway	93.38
3 Lancaster	89.29
4 Hull	87.53
5 Bristol	86.22
6 Kent	83.19
7 Brunel	82.04
8 Reading	81.62
9 Exeter	79.78
10 Glamorgan	79.70
11 Manchester	78.93
12 Queen Mary	78.60
13 Loughborough	76.74
14 Birmingham	76.43
15 Goldsmiths	74.71
16 North London	70.32
17 Manchester Met	68.80
18 East Anglia	67.60
19 Surrey	65.88
20 Ulster	65.70

HISTORY OF ART

Despite missing out on the top research score, University College London was a clear leader in the first ranking for history of art. It was one of three London colleges to achieve a perfect rating for teaching quality.

UCL incorporates the Slade School of Fine Art and there are exchange links with European universities. The assessors described the college's courses as being "at the cutting edge of the discipline".

The School of Oriental and African Studies also registered a maximum score for teaching quality and matched UCL for research. Birkbeck College completed the London triumvirate but, as a specialist institution for part-time students, does not appear in this guide.

Second-placed Cambridge and Sussex, tenth, were top-rated for research. Edinburgh's students were the best-quali-

fied on entry. Five universities were still to be inspected when the Higher Education Funding Council for England produced its report on the subject: Leeds, Plymouth, Sunderland, Teesside and Thames Valley.

A total of 37 universities and colleges were included in the HEFCE's report and the subject has also been assessed in Scotland.

1 UCL	94.76
2 Cambridge	89.58
3 SOAS	89.41
4 Nottingham	82.02
5 Leeds	81.26
6 Reading	80.45
7 Essex	79.52
8 East Anglia	78.40
9 Warwick	78.20
10 Sussex	77.10
11 Edinburgh	76.85
12 York	76.70
13 Manchester	76.40
14 St Andrews	74.73
15 Birmingham	73.51
16 Kent	72.36
17 Oxford Brookes	70.89
18 Leicester	69.88
19 Middlesex	67.36
20 Staffordshire	66.02

LAND & PROPERTY MANAGEMENT

Though new universities dominate the list of institutions offering Land & Property Management, Reading and Cambridge put in a good showing at second and third place respectively.

Kingston's lead is helped by its outstanding mark for teaching quality — a standard matched by no other course. It is praised for its rich interdisciplinary approach and for encouraging its students to acquire transferable skills. At the same time, its courses were found to "engage students in group work encouraging effective communication and time management skills, and stu-

dents are encouraged to apply information technology."

Unfortunately, research is not rated highly at any of the institutions that offer land & property management.

The assessors conclude that almost all institutions provide a good learning environment for students. Typically, courses foster close relationships with the profession and 80 per cent of graduates go on to find work within the profession.

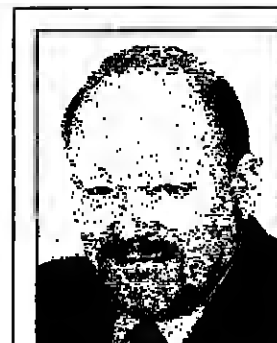
The early 1990s recession in property and construction caused a fall in the demand for these subjects. As a result, the most popular courses have maintained the size of their intake and the qualifications expected of it, while others have diversified to create a much wider range of opportunity within the field.

1 Kingston	83.40
2 Reading	83.10
3 Cambridge	73.51
3+ Liverpool JMU	73.51
5 Greenwich	73.21
6 Oxford Brookes	72.57
7 City	63.36
8 De Montfort	63.19
9 Portsmouth	58.36
10 Leeds Metropolitan	57.75
11 West of England	56.95
12 Sheffield Hallam	51.36
13 Westminster	48.81
14 Anglia	44.10
15 Staffordshire	40.81
16 South Bank	38.58
17 Central England	36.35

TOWN PLANNING & LANDSCAPE

The town planning & landscape table overlaps with that for land and property management, providing a second triumph for Kingston University.

Kingston was one of two universities in our table to achieve maximum points for teaching



Quality test

John Randall, Quality Assurance Agency chief executive, is experimenting with new methods of reporting on the quality of teaching in universities.

quality. It vied with Oxford Brookes, the other top scorer, in polytechnic days, for recognition as the leading institution in the field. Oxford's lower entrance qualifications made the difference in this ranking.

Kingston's assessment covered six elements of the university's modular degree scheme, including landscape architecture, quantity surveying and property studies. Three quarters of the sessions observed reached the top mark and the assessors stressed the good progression to employment or further study.

Second-placed Cardiff had the best research record in our top 20, and Sheffield, in third place was the most difficult department to get into. One university, Northumbria, was still to be assessed when the Higher Education Funding Council for England published its report on the subject. Competition between new and old universities is much more even in this area than in most of the others assessed so far. Eight former polytechnics feature in the top 20.

1 Kingston	93.73
2 Cardiff	89.61
3 Sheffield	88.78
4 Liverpool	84.08
5 Reading	81.84
6 Oxford Brookes	76.53
7 Salford	76.25
8 Nottingham	74.51
9 Newcastle	73.03
10 Aberdeen	67.04
11 Queens Belfast	66.70
12 Manchester	63.71
13 West of England	60.27
14 South Bank	58.83
15 Leeds Metropolitan	58.72
16 Sheffield Hallam	57.73
17 Dundee	56.62
18 Strathclyde	56.51
19 Coventry	55.84
20 De Montfort	54.51

EDUCATION

Oxford tops the first education ranking to appear in the guide after achieving the best score of all the teacher training departments in its Ofsted inspection.

The ranking uses Ofsted reports in place of the normal Quality Assurance Agency assessments, aggregating them in the normal way with the latest research grades and A-level scores. Oxford achieved a near-perfect 23.5 from Ofsted to reach the top.

Oxford's education department has a novel approach to training, placing eight students at a time in each of the schools used for teaching prac-

tice to create a network of training centres. One consequence is to exclude independent schools; a feature that has caused controversy in the past.

There were two maximum scores in the 1996 research assessment exercise, but the London University Institute of Education does not appear in the guide because it has no undergraduate courses and is a wholly specialist institution. King's College London, the other leading research centre, is relegated to 18th place because of a disappointing Ofsted score and low entry qualifications.

Only one new university, Brighton, is included among the top 20. Its Ofsted score was bettered only by Oxford and second-placed East Anglia.

1 Oxford	94.64
2 East Anglia	91.93
3 Birmingham	83.60
4 Sheffield	81.67
5 Cambridge	80.51
6 Cardiff	79.16
7 Durham	78.34
8 Manchester	74.44
9 Warwick	73.77
10 Newcastle	73.67
11 Stirling	72.51
12 York	72.48
13 Leeds	69.26
14 Exeter	69.21
15 Bristol	66.36
16 Brighton	65.14
17 Sussex	63.47
18 Kings Coll	62.16
19 Ulster	60.37
20 Reading	59.92

MIDDLE EASTERN & AFRICAN STUDIES

There is little to choose between the two universities at the top of the table. Ironically, Birmingham loses out because it offers a first degree in the subject, whereas its inclusion in a wider programme at Cambridge means that the A-level score is averaged from the university's teaching and research assessments.

Birmingham had the better research record, achieving the only five-star grade for the subjects, but entrance qualifications averaging just over two Bs and a D were well below the Cambridge norm. Middle Eastern and African studies is confined to a select group of mainly traditional universities. None was awarded less than 20 out of 24 points for teaching quality and only at Leeds was most research judged to be less than nationally excellent.

1 Cambridge	94.64
2 Birmingham	94.57
3 Oxford	87.54
4 Durham	82.26
5 London, SOAS	79.15
6 Edinburgh	74.29
7 Manchester	72.95
8 Exeter	66.91
9 Leeds	65.48

EAST & SOUTH ASIAN STUDIES

Oxford and Cambridge dominate the league table for East and South Asian Studies, with Cambridge picking up an impressive 100 points overall. Cambridge does better for its teaching, but Oxford's 5* for research is unrivalled by any other institution.

Leeds and SOAS score as highly as Cambridge for their teaching, as does the one new university represented on the list, the University of Westminster. Leeds and SOAS were awarded equally high scores

for teaching and research, but it is notable that SOAS demands eight fewer A-level points.

Only ten universities offer East and South Asian studies. The course attracts mature and non-European Union students. Final results are impressive, with an average of 66 per cent of students across all institutions obtaining a first or upper second-class degree.

At Cambridge these statistics are even better. In 1993-94, more than 70 per cent of students achieved an upper second or higher, almost a quarter of whom obtained a first.

1 Cambridge	100
2 Oxford	89.74
3 Leeds	87.82
4 SOAS	86.97
5 Hull	82.43
6 Durham	80.16
7 Edinburgh	78.48
8 Sheffield	77.43
9 Westminster	75.19
10 Stirling	66.67

COMMUNICATION & MEDIA STUDIES

Warwick and East Anglia carry off the honours in the competitive arena of media studies, scoring equally highly for teaching and research. Westminster achieved impressive results in both areas: 23

points for its teaching and 5 for its research. No institution gains a 5* for research, but Warwick, East Anglia, Sussex, Westminster and Stirling all rate highly on 5.

The list of top ten media courses is made up largely of established universities, but three new universities are represented — Westminster at fourth place, Bristol, West of England at fifth, and Central Lancashire in seventh place. Warwick received particular praise for its outstanding technical resources and for the appeal that its research record has in attracting students. Over the past five years, half of Warwick's graduates have found employment in the media industry.

1 Warwick	100.00
2 East Anglia	95.84
3 Sussex	89.30
4 Westminster	89.23
5 Bristol, W of England	84.70
6 Birmingham	83.47
7 Central Lancashire	83.48
8 Leeds	80.45
9 London, Goldsmiths	79.09
10 Leicester	78.32
11 Stirling	77.06
12 Napier	74.82
13 Ulster	73.93
14 Brunel	71.09
15 Nottingham Trent	69.92
16 South Bank	68.67
17 Liverpool JMU	66.50
18 Glasgow Caledonian	63.39
19 Sunderland	63.16
20 Sheffield Hallam	61.19

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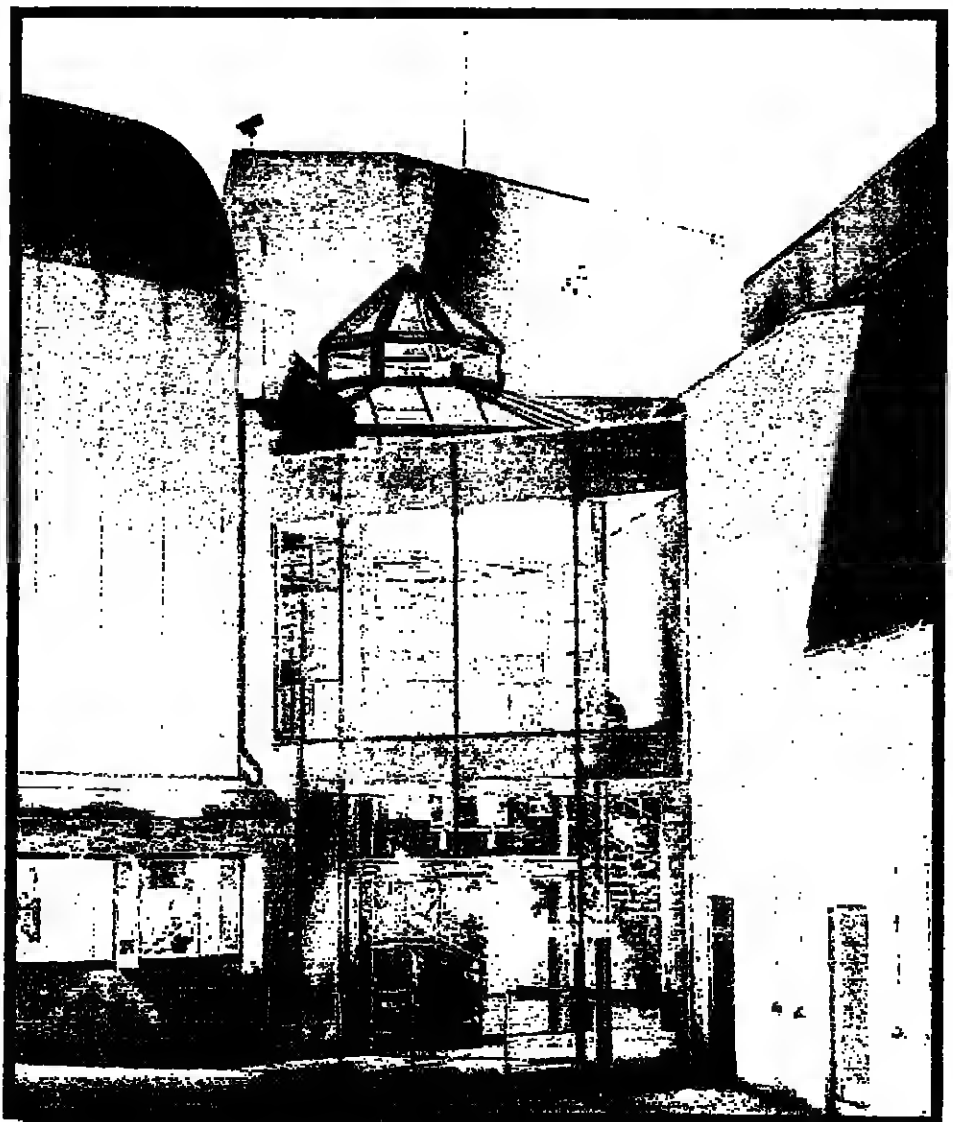
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CHANGING TIMES



Winner: Warwick's arts centre, said to be the biggest single arts complex outside London

حکومت الامارات



CONCERTS
Basingstoke goes wild for Kennedy
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THE TIMES ARTS

MUSICALS
What's Simon Callow doing in pajamas?
PAGE 23



American critics are unsure about Eddie Murphy's role in *Life*: is this a comedy or a drama? Giles Whittell reports

This time, can Eddie really be serious?

Eddie Murphy is such a decent fellow. A couple of years ago he was kind enough to stop his Land-cruiser at 4.45am on a stretch of Santa Monica Boulevard known for its transvestite prostitutes. He gave "this Hawaiian-looking woman" nothing more suspicious than "a lift", but still had to explain himself to a pair of heartless vice cops and, in due course, the world.

Now, when all we expected of him was to make us giggle for another hour or two, he has delivered something more than comedy: something *The Washington Post* called "an essay on endurance and dignity" and perhaps even "a tribute to those who came before him". That would be a tribute to the slaves who cleared and planted the American South, apparently.

It's a stretch, but it shows what a terrible time the critics have had trying to pin down *Life*, a film that announced itself in its trailers as a flat-out commercial farce, but turns out to be a story of two wrongful murder convictions in Mississippi followed by life sentences enlivened by sodomy, forced labour and a shoot-to-kill policy for would-be-escapers. No wonder *Life* has been compared to *Life is Beautiful*, Roberto Benigni's "comedy" about the Holocaust.

Murphy arrived in showbiz as a motormouth: the Ben Elton of New York stand-up. Starting in 1982, he took Hollywood by storm with three major hits in as many years — *48 Hours*, *Trading Places* and *Beverly Hills Cop*. The question hanging over his pampered head ever since has been whether he can recapture the raucous brilliance of that blue streak, or at least subordinate his ego to it for long enough to make a film. For years the answer seemed to be no: just look at the *Beverly Hills Cop* sequels. Then came the Good Samaritan drive-by. Few believed it was an "act of kindness" that got him into such trouble with the prostitute, and the question became whether his career would survive at all.

Miraculously, it did. *The Nutty Professor* made \$128 million in America alone and, when asked about his allegedly bisexual proclivities, Murphy issued loud denials.



that few were brave enough to challenge to his face.

Now the question is more edifying: can we accept Detective Axel Foley as a tragicomic chronicler of the 20th century using an inmate in a segregated prison camp as his mouthpiece? Apparently so: \$8 million a night on *Life's* opening weekend can't be all wrong.

The film begins with considera-

'Presented as a commercial farce in its trailers, it turns out to be a story of two wrongful murder convictions'

ble style. Murphy is a light-fingered hoodlum with dreams of owning his own nightclub. A nicely understated Martin Lawrence has landed a bottom-rung bank job and dreams only of security. They blunder into each other in the kind of swinging 'speakeasy' that featured heavily in Murphy's 1989 flop, *Harlem Nights* — but they don't stay long. Their chief creditor duels Lawrence headfirst in a sewer, then sends them off for a load of hooch.

Somewhere south of the Mason-Dixon line our sassy New Yorkers encounter a batch of "whites only" pies in a roadside coffee shop. "Don't you have no negro pies?" asks Lawrence, and a bunch of inbred rednecks with cross eyes and shotgun say "No" as one. It's a funny scene, but also the first sign of *Life's* awkward two-track agenda: one track stops at all the jokes, the other reminds you of what one reviewer called "the bad sense it took

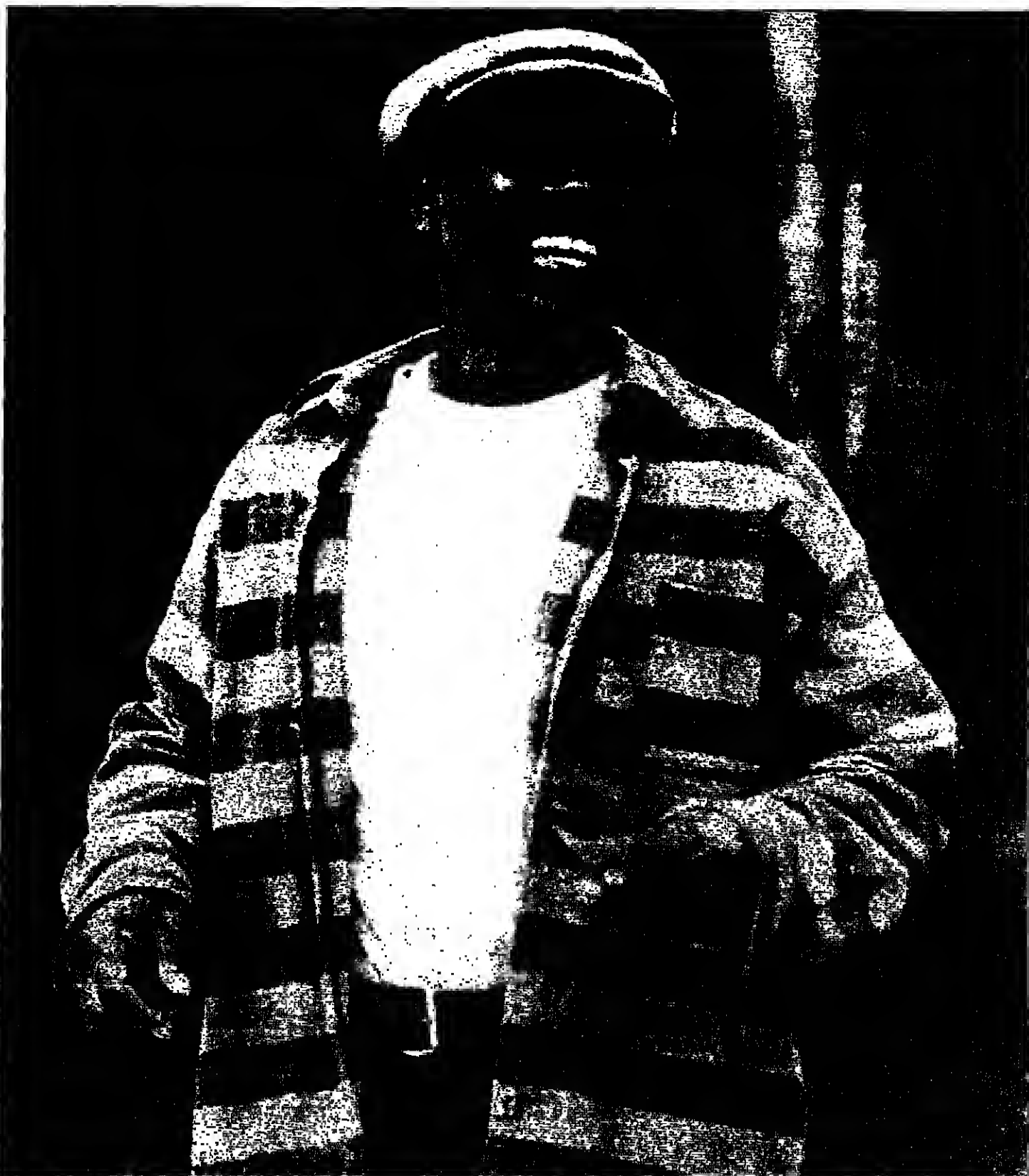
to be black and in Mississippi circa 1932". Back then, for blacks with attitude, the road to jail ran straight and smooth. In this case the man who keeps it that way is a young white sheriff who frames Murphy and Lawrence for one of his own lynchings (see the humour yet?).

Just as Benigni built a stylised concentration camp for *Life is Beautiful*, this film's prison takes some liberties with reality. The chain gang sure looks miserable, and the big guy who hands out the ritual beatings sure is big. But this is a place where inmates may play baseball if they behave, pardons are a dime a dozen and dorm life can be downright fun, especially when Murphy regales his chums — in a beautiful sequence — with his fantasy of running Ray's Boom Boom Room when he gets out.

There is much that is not quite right with *Life*. The entire baseball subplot feels contrived and saps the film of tension. There is also a conspicuous lack of belly laughs and, for those who bother with reviews, a hint of affirmative action in their generosity: one has to wonder if the *Los Angeles Times* would have called this "so gracefully bittersweet and balanced" if its leads were comic white losers instead of comic black ones.

But the film's harshest critic gets it all wrong. "*Life* is a lurchingly sentimental prison comedy that's like a setup in search of a punchline," writes Owen Gleiberman in *Entertainment Weekly*. "The script is doughnut glaze too." In fact, the central relationship between Murphy and Lawrence is so unsentimental that they barely talk for years at a time. A suicide takes place without so much as a cry-cue from the violas, and most other inmates die off simply by vanishing. As for the script, it works by omission, leaving space for the furious extemporising at which Murphy is still unrivalled, even by Robin Williams (who does have a sentimental problem).

Murphy is ably supported by Lawrence, who has plenty of real-life experience with the law. Once called the Mike Tyson of comedy, he has been accused of sexual har-



Can we accept Eddie Murphy as a chronicler of the 20th century using an inmate in a prison camp as his mouthpiece? Apparently so

assment and spousal abuse. Here he is the calmer of the two prisoners, but as they age together from 30 to 90 with the help of thick prosthetic make-up the action slows for both of them — and so — and the poignancy does deepen.

Life is not art, but it is entertainment and it's sure to mean the Murphy-Lawrence team returns. When it does, Lawrence should play a Hawaiian-looking woman, Murphy himself.

US WEEKEND BOX-OFFICE TAKINGS AND ANALYSIS

1	(4)	<i>Life</i> (Universal)	\$20.7m	↓
2	(2)	<i>The Matrix</i> (Warner Bros)	\$18.1m/\$73.3m	↑
3	(3)	<i>Harvey Keitel</i> (Twentieth Century Fox)	\$8.7m/\$11.8m	↑
4	(5)	<i>Analyze This</i> (Warner Bros)	\$4.7m/\$5.8m	↑
5	(6)	<i>10 Things I Hate About You</i> (Touchstone)	\$3.7m/\$20.4m	↑
6	(4)	<i>The Out-of-Towners</i> (Paramount)	\$3.2m/\$16.2m	↑
7	(6)	<i>Go</i> (Columbia)	\$3m/\$4.7m	↑
8	(7)	<i>Forces of Nature</i> (DreamWorks)	\$2.6m/\$4.2m	↑
9	(11)	<i>Shakespeare in Love</i> (Miramax)	\$1.9m/\$87.5m	↑
10	(10)	<i>Cooler's Fortune</i> (October)	\$1.8m/\$1.3m	↑

● Eddie Murphy's storming opening weekend with *Life* — a new record for an April release, Universal claims — has temporarily overshadowed *The Matrix*. Nevertheless, after just 18 days the Keanu Reeves cyberspace thriller has now passed the \$100 million mark, according to Warner Bros. It is the first film of 1999 to do so.

When Strauss got to play God

Now here's a curiosity, and a curiosity on an epic scale. In 1929 Richard Strauss was commissioned to devise an edition of *Idomeneo* to celebrate the 150th anniversary of his first performance in 1781. Mozart's great opera seria may be a standard repertory work today, but it was virtually unknown at the time, certainly to the general public. Strauss himself worshipped Mozart, and it was due largely to his passionate advocacy that *Costi fan tutte*, in the doghouse throughout the 19th century, was rediscovered. He set about this new task with much enthusiasm.

In collaboration with the producer Lothar Wallerstein Strauss reordered the action, cutting many arias and yards of what he described as "interminable recitative" — the result plays for little over two hours. What is left of the recitative is recomposed very Strauss-ly for orchestra and bristling with Mozart-derived leit-motifs.

He changed the plot: Elettra is turned into a stern Priestess of Neptune, and deprived of *Idol mio* — she disapproves violently of Idamante, his love for a foreigner and mixed marriages in general. Had the programme included the new German libretto, we might have learnt more about this — at the time — curiously topical addition.

There are two long passages of pure and rather good Strauss based on Mozartian themes: an interlude and a huge, Tyrian purple ensemble after Neptune's intervention to celebrate the Happy End (it



OPERA
Idomeneo
Richard Strauss

sounds like pages discarded from *Frau ohne Schatten*). The abrupt return to Mozart's own final chorus is a richly comic moment.

Strauss's *Idomeneo* — no other words will do — has not had a good press. The Mozart scholar Alfred Einstein called it "a gross act of mutilation", and in the cold light of day I suppose it is. But it is also a self-confessed second-rate composer's heartfelt act of homage to a great one, carried out with the purest of intentions and as such, however misguided by today's standards, rather touching. I am grateful to have heard it.

It was given in concert by Richard Hickox and the City of London Sinfonia as part of their *Greek Myths* series, and glamorously cast: Kurt Streit fluently easy in the title role, Christine Brewer lashing into the *faux-Elettra's* two angry arias, Pamela Helen Stephen in warm voice as Idamante (predictably, Strauss goes for the soprano alternative) and Alison Hagley very sweet as Iba.

Another curiosity: this music apparently hasn't been heard anywhere for over half a century. Why was BBC Radio 3 not there? No money, of course, a sad reflection on the network's current emasculated state.

RODNEY MILNES



Alison Jear, Hannah Lawrence and Juliet Roberts in the all-singing, all-dancing tribute to London, *Inner City Jam*

West Yorkshire Playhouse has quickly redeemed itself after a dismal production of one local classic, *Wuthering Heights*, with a splendid new version of another, this time set down the road in Barnsley. Adapted from Barry Hines's novel *A Kestrel for a Knave*, this haunting fable — better known as *Kes*, after Ken Loach's 1969 film — is sensitively scripted, movingly performed and stunningly staged.

Kes is essentially about a community which falls its young. At its heart is Billy, an apparently backward kid, neglected by his tatty mother, beaten up by his older brother and bullied on all sides. Billy's solace is his pet kestrel, on which he lavishes all the tenderness he has never known, and over which he exerts all the control he lacks in life.

Lawrence Till's script has the odd problem with the matter-of-fact realism of

The heart takes flight



Hines's novel, which gets under Billy's thin but opaque skin by accreting telling little details rather than diving straight in. But Till easily captures its essence — both the dark comedy of Billy's home and school, and the unspoken passion of his private world. The director, Natasha Berteridge, maintains a brisk but unforced

Songs of the city slickers

Back in 1971 a show called *Inner City* opened on Broadway with songs by Eve Merriam and music by Helen Miller. I can't trace a British production, so perhaps the story was thought too local to export, even though the director was Tom O'Horgan, the *Hair* man.

Inner City Jam is the child of that show, directed and adapted for London by Paul J. Medford, and a vigorous, likeable, foot-tapping evening it is. The show is not without a few faults, but these chiefly come from the strain of linking 30 songs to the lives of eight Londoners. Sometimes the shift in tone jars.

King's Cross is where the eight live and where some of them work, others beg but all sing and dance when feeling happy, when feeling blue. Four are men, four women; four are black, four white. Chris Dyer, playing one of the beggars in blankets, is still at college; at the other extreme



THEATRE
Inner City Jam
Gordon, NWS

Ann Emery, the gossiping pensioner, started her career with the Crazy Gang and must now be really getting on a bit. The mix of sex, race and age is astute enough to create what one can accept for a while as a representative cross-section — where, single mum, drug pusher and the like — which Medford's direction and Dolie Henry's choreography bind into a 16-legged community animal.

When they dance their bodies move with the speed of knife-fighters. With something of the chop and slice of combat, too, although one-to-one partnering is rare. Dyer and the rubber-legged Paul Sharma dance alongside each other in a thrilling (and comic) tap competition, using the

floor grating and a stretch of corrugated wall for acoustic variation, but more typically the cast dances in a tight group, darning across the open stage, opening and closing with movements suggesting aspiration and city toughness.

Many songs take off from nursery rhymes — recalling the show's origins in Merriam's book *The Inner City Mother Goose* — but after the familiar first line the verses turn darker. It is the women's

songs that tap the deepest emotions. You do not need to believe what the words say to be moved by the searing, soaring power of Juliet Roberts, putting her trust in the Lord. Nor when, in the earlier *Woman to Woman*, the voice of Alison Jear, playing the tubby tart, takes off to the sky above the melody. If for nothing else, moments like these are worth the trip to Lisson Grove.

JEREMY KINGSTON

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NATIONAL GALLERY

■ GALLERIES

How painters see art

A hot name to drop

Outside the Astoria. Roots were all but begging to buy spare tickets for the Roots' sold-out London show. Inside, hundreds of baseball cap-clad fans were too busy acting aloof to appreciate the fact that they were attending one of only two UK dates on the group's current tour. Highly rated in hip hop circles since the early 1990s, Philadelphia's the Roots has recently become a hot pop name to drop. Last year the band's fourth album, *Things Fall Apart*, went platinum in America, outstripping combined sales of its three predecessors.

So keen was the crowd to see the Roots that many barely bothered with the support act, Melky Sedeck. It was a shame. The New Jersey duo gave a compelling, if at times inappropriate, performance.

Mult-instrumentalist Sedeck Jean and his singer sister Melky — both younger sib-



lings of the Fugees' Wydele Jean — set a striking mix of soul, gospel and classical music to retro funk-flavoured grooves. Too many downtown tracks, however, alienated an audience hyped up for some hip hop action. After half an hour, not even the 21-year-old singer's sexy stage antics could halt an exodus to the bar.

In contrast, the reaction to the Roots was ecstatic. Fronted by main band members Black Thought and Quest, who took it in turns to rap, the five-strong outfit produced a surprisingly hard-edged, dance-floor-friendly fusion of funk, dub and hip hop. The set opened with a bizarre cowbell jam, a reference to the group's early days spent busking on the streets of Philadelphia. Starting with a stripped-down version of the forthcoming single *The Next Movement*, the following 90 minutes featured a selection of tracks from all four of the Roots' albums.

Devoid of a DJ for the first time — a fantastic drummer and two guitarists were a substitute for samples — the band were able to control carefully the tempo and direction of the songs, which added a new dimension to the music. The only disappointment was the absence of Erykah Badu, who sang on the group's recent debut UK hit, *You Got Me*. Her stand-in, however, was more than adequate.

LISA VERRICO

ARTS

Philharmonia premiere

In the eye of the beholder



The artist as guinea-pig: portrait painter Humphrey Ocean demonstrates the "eye tracker", a camera which can reveal the focus of his gaze when he sketches a subject

A beautiful black girl was standing by the information desk at the National Portrait Gallery. I think she was touting audio cassettes, but it was her eyes I focused on: huge and dark and glitter-dusted. The gallery should keep her on permanent display. What better way to advertise its new show, *The Painter's Eye*?

When people refer to the "artist's eye" it is usually in a rather nebulous sense. They are talking about some distinctive vision, emotional content or personal choice. But in examining the relationship between the painter and his model, what this exhibition explores instead is the artist's eye as a biological organ linked to the brain, co-ordinated with the hand and the movements it makes. "A lot has been said about ways of seeing," says Dr John Tsalenko, co-ordinator of this project, "but far less has been said about how we see."

To study the technicalities of this process he has taken a portraitist, Humphrey Ocean, as his guinea pig, kitting him out with a biomedical eye tracker as he sketches his subject, shovelling him into a scanning machine, wiring his hand to a recording sensor. Some of the resulting data are presented almost as artworks in the exhibition. A wire replica of patterns traced by Ocean's sketching hand forms a spidery

VISUAL ART: When a portrait painter looks at his subject, what does he see? A new show at the National Portrait Gallery reveals all to Rachel Campbell-Johnston

sculpture in its own right. But mostly this show is a series of explanatory diagrams, half-finished drawings, eye movement graphs and sections through the brain, which together build up a scientific picture of the artist's seeing processes.

So how does the artist's way of seeing compare with that of the untrained viewer? Apparently, as Ocean peruses his model, his precisely targeted gaze means he needs only to glance 12 times per minute at his subject, whereas I — so I learn — will flatter my subject with some 140 looks. Furthermore I process information in the hinder regions of my visual cortex — a giveaway sign that I am only slavishly

copying. The artist *understands* instead. Interpreting what he sees in the more abstract frontal areas of his brain, he thinks his portraits.

But do I need to know this? Isn't it just a dull reduction of art to data? A dry attempt at analysing genius? Tsalenko insists not. "Science will not defeat the mystery of art," he says. "It's just that, if before you admired paintings with an ignorant wonder, you can leave this show and admire art with a wonder all the greater in that it grows out of knowledge."

In a sense I understand what he means. And Ocean has certainly selected some of the National Portrait Gallery's finest pictures for departing visitors to practise their newly awakened seeing skills on. But perhaps I have grown too set in my ways to abandon the good old ignoramus's gut response. I didn't see Rembrandt's crepuscular portrait with anything other than reverence. Auerbach's delicious impasto still made me want, more than anything, to touch. I remained emotionally indifferent to Andy Warhol. And the gallery attendant's glittery eyes looked just as beautiful on the way out. But don't take my word for it. Pay the exhibition a visit and see for yourself.

● The Painter's Eye is at the National Portrait Gallery (0171-312 2452) until June 13

BUILDING A LIBRARY

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■ RICHARD STRAUSS'S DER ROSENKAVALER

Reviewed by Patrick O'Connor

ALTHOUGH the opera has moments of gravity, verging on tears, *Der Rosenkavalier* is a comedy. It must never lose the feeling of Viennese farce, with a dash of French boudoir naughtiness. It must also be sung and acted with total conviction — so that while laughing at the characters the audience sympathises with them.

Strauss's librettist, Hugo von Hofmannsthal, stipulated that the rôle of the title character should be sung by "a shapely wench in men's clothes". Although cast by Strauss for a soprano, over the years this rôle has often been the province of mezzos, and the change of emphasis — lighter voices versus heavier ones — is one of the choices facing record-buyers.

Ochs's crucial aria in Act I, in which he expounds his philosophy of the battle of the sexes, is heavily cut in both versions conducted by Karajan. The earliest of these has the controversial Marshallin of Elisabeth Schwarzkopf — love it or hate it, it's impossible to ignore this famous performance. Karajan's later version (1983) has the most beautifully sung Ochs of all, from Kurt Moll — so it's a great pity that his part is cut.

The most recent version is from EMI, with the Dresden Staatskapelle conducted by Haitink with Kiri Te Kanawa and Anne Sofie von Otter as Marshallin and Octavian. This is in digital sound, and is a smooth, well-tempered performance.

However, for a completely satisfying, authentically Viennese performance, my top recommendation is Sir Georg Solti's recording with the Vienna Philharmonic and the best-matched quartet of soloists: Regine Crespin, Yvonne Minton, Helen Donath and Manfred Jungwirth (Decca 417 493-2, £46.49). This incorporates all the moods that the authors demanded, ranging from "part vaudeville, part ballet" to the bittersweet ending, in Strauss's words "melting gradually into a lyrical mood".

To order the recommended recording, with free delivery, please send a cheque payable to The Times Music Shop to FREEPOST, SCO681, Forbes, IV36 0BR or phone 0345-023 498; e-mail: music@the-times.co.uk

Next Saturday on Radio 3 (11am): Vivaldi's Gloria

CONCERTS: Powerful maestros on show in London; a revelatory reading of a problem symphony in Birmingham; and Kennedy wowing Basingstoke

Rising Korean star beguiles

If the first movement of Brahms's Piano Concerto No 1 can be seen as a dialogue between the powerful, public voice of the orchestra and the more poetic tone of the piano, then this Philharmonia Orchestra performance had a well-matched pair of protagonists in Christian Thielemann and Andreas Haefliger. Thielemann is a conductor with a penchant for heroism. Haefliger a pianist who can take the massive demands of Brahms in his stride and invest even the biggest moments with majestic lyricism.

At least in this opening movement, the muscular weight Thielemann brought to the music was impressive, and he drew typically warm and responsive playing from the orchestra. But his approach was also one-dimensional: the mood of religious contemplation in the Adagio was not fully reflected, and he was over-assertive in the Rondo. Here Haefliger gave the solo part all the air it needed, but Thielemann was simply suffocating.

Similarly, Thielemann put a big-orchestra gloss on Schumann's Second Symphony, a work by a composer on the edge of a breakdown rather than a statement of confidence. This account worked best in the elegiac Adagio, but there is surely more lyricism than Thielemann found.

Much more enlightening was the free, early-evening concert in the Philharmonia's excellent "Music of Today" series, devoted to the work of the Berlin-based Korean composer Unsuk Chin. Her music is



not as well known here as it deserves to be, so it is good that a London Sinfonietta commission is in the pipeline. She is a true original, like her former teacher Ligeti, but her style is perhaps more spontaneous.

Chin's work in electronic music has given her an amazing ear for the possibilities of conventional instruments, and in *Fantasie mécanique* (receiving its British premiere) the ensemble of trumpet, trombone, piano and percussion is in a state of constant flux. The dark, ruthless vigour of the opening is very different from the brittle episodes that follow, but everything is at once mechanical and free. Stefan Asbury directed members of the Philharmonia in a performance of dazzling virtuosity.

Akrostichon-Wortspiel for soprano and ensemble is Chin's most widely played score. The wit of the texts, distorted from fairytales, is matched by music of beguiling beauty. Each of the seven movements evokes a different atmosphere, but nothing is as unexpected as the opulence of the scene in which all the lines continuously tumble down. Though Nicole Tibbels was occasionally overpowered, she sang and even whistled her way through the rest of the part with panache.

JOHN ALLISON

Fiddled to perfection

Whoever said the English are a repressed race has not been to Basingstoke on a Friday night. The Bournemouth Symphony Orchestra was at the Anvil concert hall with its conductor laureate, Andrew Litton, and the music was red-hot from bar one. First there was Elgar, pouring out his soul in his extraordinary Violin Concerto. Then there was Walton, ferociously forceful in his First Symphony, omphani thumping to wake the dead.

And, far from least, there was Kennedy, the artist formerly known as Nigel, fiddling away in a loose white shirt tied at the waist, a mischievous angel complete with Bach encore and farewell patter. "I have a gift," he told the packed hall, scrutinising the first few rows. "I can tell which people have washed their hair..."

He pointed. We laughed.



We needed some light relief. For we had just experienced an emotional cataclysm, pulled this way and that through song, exultation, lament and rage. Every bar in some pages of Elgar's score brings a different tempo or expression mark. This can be perilous, but Litton, signalling with giant downbeats, made sure nobody went astray. After two famous recordings, Kennedy still takes no note for granted, and never less the needs of the moment sabotage structure or tension. In the third movement's cadenza, time stood still in a wistful reverie: such was the first movement's ardour that its 17 discursive minutes seemed to

whip by in five. The second movement was all sweetness and beseeching, crowned by a rapt diminuendo. At the end Kennedy praised orchestra and conductor a joy to work with, he said. It showed.

Litton's feeling for the repertoire was also blazingly clear. Like his fellow Americans André Previn and Leonard Slatkin he knows how to go straight to the bones and sinews of mainstream English music. In the symphony the first movement's propulsive rhythms were fiercely punched out; if the movement really mirrors Walton's love life with Baroness Emma Dornberg, as the programme note suggested, I would not want to have been their neighbour. But Litton also embraced the work's plaintive side, and for once made sense of the finale's mood swings between maestro preening, fugal bustling, dark pangs and



Kennedy: glorious in Elgar

elation. Throughout the orchestra played with fire, poetry and real commitment. A glorious evening.

GEOFF BROWN

Heavy-handed view of Sibelius

It is remarkable enough these days when a symphony orchestra plays Haydn at all. But to programme a symphony as early as No 21 in A, a work rarely heard in concert and one that doesn't even bear a nickname (the last two facts are probably unrelated) takes some courage. Beginning his Sunday LSO concert with this piece, Michael Tilson Thomas made a strong case for it.

It opens, in the old-fashioned church sonata style, with an Adagio, but one that unfolds with quiet intensity. If one was struck by how un-Haydn-like that movement sounded, it was doubtless to do with the tension between the archaism of the style and the modernity of Tilson Thomas's account.

Modern, that is to say, in the sense that it was romantically conceived and played on modern instruments. Even while this vibrantly expressive interpretation was raising subliminal question marks, I have to admit that I found it extraordinarily beautiful and moving.

A similar disjunction of stylistic validity and expressive effect occurred later with Sibelius's Second Symphony. But before that, authenticity of a different kind reared its head in Bartók's Viola Concerto. Written under the shadow of the composer's final illness, the latter was left in sketch form. Tibor Serly's competent but radical completion is only one aspect of the concerto's problematic status, but it cannot be said that Yuri Bashmet's ill-prepared reading did



much to dispel doubts. Quite apart from compromised intonation, his performance seemed unable to engage with even the more inspired passages of the work.

The problem with Tilson Thomas's Sibelius, on the other hand, is rather the reverse. Where a traditional Sibelian will allow these elemental structures to develop organically, Tilson Thomas likes to mould the clay himself, firmly defining every paragraph, driving ever onward to an overwhelming conclusion. Thus, the first movement was whipped into a lather, suggesting at times the emotionalism of Tchaikovsky's *Pathétique*, even a Mahlerian angst. At the same time, it was clean, dynamic, very American.

With the LSO brass punctuating powerfully but proportionately, the second movement rightly sounded baleful rather than triumphalist. The third, though a tour de force of rapid string playing, also had unarguable trenchancy.

The cumulative energy of the finale was no less breathtaking. Even if one's instincts reacted against the contrived dynamism, the relentless interventionism in what should seem a cataclysmic natural process, it was impossible not to be thrilled by the result.

BARRY MILLINGTON

Mahler comes good at the last

The most inspired part of Mahler's Seventh Symphony is not, by common consent, the last movement. Common consent no longer extends as far as Birmingham, however. In Symphony Hall a year ago Rattle and the CBSO demonstrated that the Rondo Finale is at least as imaginative as the rest. And now Neeme Järvi has been to the same hall with the Royal Philharmonic and made an impassioned case for it as the true and unfailingly thrilling climax of the work.

From the jubilant drum rolls and horn fanfares at the beginning of the finale, it was clear that the interpretation was being elevated to a new level. If it seemed unlikely that it could be sustained at that pitch of intensity, events proved such doubts to be out of place. At the same



time, and even more surprisingly in a way, the allegedly derivative elements seemed to have lost their alien quality: they were phrased and coloured in such a way that they were integrated into a compellingly consistent characterisation.

Another reason why the finale seemed so outstanding was, unfortunately, that the earlier parts of the work had been less convincingly presented. Working on less than adequate rehearsal time — or so it seemed from the string playing — Järvi and the RPO had found little atmosphere

or expressive purpose in the opening movement and had made the first *Nachtmusik* plainly repetitive. It was only in the demonic Scherzo and in the second *Nachtmusik* that they began to communicate something of Mahler's vision and to create the sinister conditions to which the finale is intended to provide the wholesome daytime answer.

The concert had begun, somewhat unfairly for the soloists perhaps, with Richard Strauss's Oboe Concerto. Though clearly nervous to start with, Christopher Cowie did recover at an early stage and went on to give a performance distinguished by a disarmingly sweet sound and a not too assertive personality.

GERALD LARNER

COMEDY

Red Dwarfs branch out

A game of two halves

Red Dwarf: The Road show? Not quite. Though the cult television series exerts a mysterious hold over half the student population of the Western hemisphere, Chris Barrie and Norman Lovett are intent on demonstrating that there is life beyond outer space.

Co-star Craig Charles has also been out on the road with his stand-up show, alternating between lager-lout banter and heart-on-sleeve verse. Barrie and Lovett's double bill, which is touring until the end of May, is another study in contrast, Barrie playing the high-speed joke and impression machine, his partner chugging along at his own befuddled tempo.

A sell-out opening night in Wycombe Town Hall belonged to the lugubrious Lovett, a Max Wall devotee whose delivery grows sparser and yet more amusing by the year. A master of the calculated digression, he takes the longest possible scenic route to each punch-line, frequently

abandoning the journey half-way through as another idea takes his fancy.

When the European Commission finally gets round to issuing a directive on Comedic Productivity, he will be in serious trouble, since his gag-per-minute ratio falls well below accepted norms. The joy lies in the gaps between — in the bemused frowns and the quizzical pauses as he muses on his pet spaniel, his ES8 M&S linen jacket and the design specifications of the plastic tea-strainers given out in train buffets. Lovett turns aimlessness into an art. Max Wall, remember, once appeared in *Waiting For Gode*, and you can easily imagine Lovett following in his footsteps, big boots and all.

Barrie's more mainstream segment of the evening still needs time to settle down. A rogue microphone certainly did not help. But there was also the unmistakable sense that he was trying breathlessly to cram in too much material, lapsing into the blue suit well before the end. The impersonations of Barry Norman, Paul Daniels and Richie Benaud could be pensioned off too.

It is a shame he doesn't do Michael Portillo — in the right light, he bears more than a passing resemblance. But we do get an impudent version of Tony Blair letting his mean streak show in round-table talks with Sinn Féin and a hapless Mo Mowlam. The script fizzled out before the end, but there is time to fix it.

CLIVE DAVIS

Turn up the steam heat

MUSICALS: Anna
Kythreotis talks to the unlikely foursome who are breathing new life into the old *Pajama Game*

Given the continuing success of old Broadway musicals dusted down for the English stage in recent years it was inevitable that more would follow. Less predictable was that next up would be *The Pajama Game*, a piece up would be brought out of retirement for one of its few major revivals since the original production on Broadway in 1954.

Less predictable still is the team assembled for the task: designs are by the leading American abstract artist Frank Stella, choreography by Birmingham Royal Ballet's director David Bintley, musical supervision by the classical saxophone virtuoso John Harle, and direction by Simon Callow. An impressive list of distinguished names — and a rather odd one, in that Stella and Bintley have never worked on a musical before.

The collaboration of such creatively charged individuals implies that a straightforward revival is not on the cards. "No 'Revival' has Draculean overtones — the walking dead — we've all seen those shows," says Callow, who felt that a relatively virgin ensemble would approach this with an attitude of "what fun" rather than "here we go again". (The show has a novice musical performer, too: the TV presenter Ulrika Jonsson heads a cast that includes performance poet John Hegley and soap-opera star Anna Dobson.)

The idea of involving Stella was as inspired as it was ambitious. There is an almost theatrical dimension to the emerging vitality of his brilliantly coloured, vibrant canvases, and the uninhibited fantasy and fluidity of his work corresponded exactly to the free-wheeling manner of the intended staging. But what was the attraction of this for Stella — one of the major figures in contemporary art whose work, more usually seen in major museum collections, has consistently kept him at the cutting edge of the avant garde for more than 40 years? "I thought about the stage, and what to do within that box to make it come alive," explains Stella. "To create an imagery for the music and the choreography to bounce off, and put something there for the eyes as well as the ears. To find a way to get the box off the ground."

Stella's bold, eye-grabbing, stylised designs thrilled the composer Richard Adler, the only surviving architect of the original production and musical adviser on this one. "I was absolutely wiped out by what I saw," he says. "The concept of *Pajama Game* in this different style — both visually and musically — is very interesting to me."

The Pajama Game is something of a curiosity: initially a thundering success, it has all but disappeared from both the stage and the public consciousness. Based on Richard Bissell's novel *7½ Cents* — about a strike in a pajama factory, complicated by the boss and the union negotiator falling in love — it was turned down by every major composer and lyricist until Adler and Jerry Ross saw its potential and crafted it into the acclaimed show which won six Tony awards including Best Musical, and launched the careers of two Broadway debutants — the choreographer



Four men in the same boat (from left) collaborators Frank Stella, David Bintley, Simon Callow and John Harle

Bob Rosse, and Shirley MacLaine, understudying an indisposed Carol Haney. After an equally triumphant run in London and a 1957 film version starring Doris Day, the piece vanished. Yet it contains several fine songs including *Hey There, Once a Year Day* and *Hernando's Hideaway*, and one of the great blockbuster numbers of all time, *Steam Heat*, which is still stopping the show Fosse on Broadway.

It was one of the last musicals to come out of the tradition of revue and, like others of that genre, it has a vivacious, mad-cap zaniness. "Chapagne musicals" Callow calls them, "engendering a state of delirious, idiotic joy". To recapture that spirit the artistic team have created an abstract, almost surreal, ambience for the piece: an expressionistic interpretation of Fifties elements that acknowledges the period without resurrecting it.

"It's a world of 1950s music that wouldn't necessarily have been the 1950s music of the Broadway stage," explains Harle, whose work has covered the waterfront from original compositions for concerts, opera, film and theatre to collaborations with Elvis Costello.

"We're paying attention to Miles Davis and Gil Evans, and also Duke Ellington, along with a semi-classical approach to some of the orchestrations where there's a sort of Debussysque abstraction. Not to take it so far out of its roots that it becomes something else, but to give it a bit of panache, an intelligent, contemporary edge."

The choreography also moves away from standard musical routines into a broader range that puts an inventive spin on the dances of the Fifties — jazz, blues, rumba, rock'n'roll. "Taking a style and using it is something I do quite often — it's never authentic, and it isn't meant to be — it just gives a flavour," says Bintley, who showed an inspired flair for the Broadway/Hollywood idiom in his ballet *Nutcracker Sweeties*. Bintley, however, was the hardest to hook into the project, wavering between a desire to work with this team and an aversion to the musical convention where, in an apparently representational world, people suddenly and rationally break into song and dance. Nor was he impressed by the rather

dated film, "Cheesy," he terms it. But the possibilities offered by the abstract tone (Callow shrewdly likening it to ballet) appealed to Bintley. "It has reference to reality stronger than many other musicals," he says. "But because of the revue nature of the production it won't matter when people stop to sing and dance. And within the dazzling aesthetic of Frank's designs you're freed from a lot of restrictions." He has yet, however, to reconcile himself to *There Once Was a Man*, a country-and-western number which he loathes. Cheesy? "Gorgonzola," he groans. Callow defines the song as a kind of post-coital eruption of all-American exuberance. "Post-coital country-and-western," observes Bintley. "It doesn't bear thinking about."

The sexual metaphor is not misplaced. Although Jean Luc Godard described the piece as "the first left-wing opera", the story is ultimately about sexual rather than industrial relations. "It is no accident," says the director, "that it's set in a pajama factory."

● *The Pajama Game* previews at the Birmingham Repertory Theatre (0121-230-4455) from Thursday and opens April 29

LISTINGS

Derby debut for Boyband

RECOMMENDED TODAY

Guide to arts and entertainment compiled by Mark Hargre

LONDON

LONDON PHILHARMONIC ORCHESTRA: The prodigiously talented Daniel Harding conducts the LPO in an opulent programme of Brahms, Strauss and Mozart's Piano Concerto in G, K 597, with Christian Zacharias on soloist. Festival Hall (0171-980 4242). Tonight, 7.30pm. (S)

THE GARDEN OF HESPERIA: Beethoven's *Requiem* and Handel's *Messiah* are the focus of tonight's programme. The City of London School of Music presents the work of two of the greatest composers in history. St John's, Smith Square (0171-222 1001). Tonight, 7.30pm. (S)

THE YIDDISH QUEEN LEAR: Julia Pascal tells the familiar story in the 1930s. Here an ageing Yiddish actress hands over her theatre business to her three daughters. With Ruth Pinner and Amanda Rogers. Southwark Playhouse (0171-820 3484). Preview, 7.30pm. Opera, Thur. 8.00pm. (S)

ACADEMY OF ANCIENT MUSIC: Emma Kirkby and James Bowman are two of the soloists with the AAM and the Choir of New College Oxford in an all-Handel gala in aid of the Thomas Coram Foundation for Children. St John's, Smith Square (0171-222 1001). Tonight, 7.30pm. (S)

ELSEWHERE
BIRMINGHAM: Pavarotti leads the City of Birmingham Symphony Orchestra in an evening which opens with Richard Strauss's *Ein Heldenleben* and concludes with Don Juan, coupled with Beethoven's Violin Concerto. Victoria Palace, (0171-884 1317). (S)
ESCAPE FROM PTERADACTYL ISLAND: Award-winning American musical based on the story of early sci-fi novels, with new rock'n'roll songs from Michael Jeffrey. Phoenix Theatre (011-609 1800). (S)
SUDDENLY LAST SUMMER: Shelia Gish plays the venomous mother and Rachel Weiss, the traumatised wife in famous Tennessee Williams shocker. Swan Theatre (0171-389 1731). (S)
MAKING NOISE QUIETLY: Dominic Dring's Oxford Stage Co opens a London season with Robert Holman's much-praised trilogy of short plays where strangers meet at a time of war. Eleanor Bruns directs. Whitehall Theatre (0171-389 1735). (S)
THE COLONEL BIRD: Interesting play by Bulgarian author Petko Boychev where lunatics take over an asylum and make recognition by NATO. Gaiety (0171-222 0706). (S)
THE GIN GAME: Dorothy Turrill and John Alderton play old folk in a retirement home whose card-playing styles echo their real lives. Swan (0171-389 1731). (S)
HUSHHAW MOUNTAIN: Jonathan Harvey's bitter-sweet comedy about a relationship broken by AIDS. Some scenes set in a hospital where Judy Garland welcomes the dead partner. Hampstead (0171-722 8901). (S)
THE DISPUTE: Superb production by Neil Bartlett of his translation of Moliere's *Le Tartuffe*. Open. Adolescents meet the world and each other for the first time. Lyric, W6 (0181-741 2811). (S)



James Bowman sings Handel in St John's

DERBY: World premiere of a new musical, *Boyband*, which traces the story of five young guys as they hurtle into pop stardom. West End bound. Playhouse (01332 38277). Opens tonight, 7.30pm. (S)
MANCHESTER: In Alex Finlayson's new play *Tobacco* a ghostly figure from the past joins Trevor Peacock in a family debate about the future. Royal Exchange (0161-833 8833). Opens tonight, 7.30pm. (S)
STRAATFORD-UPON-AVON: Simon Pegg and Tim Supple adapt *Tales from Ovid*, David Hughes's best-selling version of Ovid's *Metamorphoses*. Swan (01926 412 3333). Tonight, 7.30pm. In repertory. (S)

NEW WEST END SHOWS

Jeremy Kingston's choice of theatre showing in London
■ House full, returns only ■ Some seats available ■ Seats at all prices

61 CANDIDE: Great songs in Bernadette's musical from Voltaire. John Caird and Trevor Nunn direct excellent cast led by Daniel Evans, Alex Kelly and Simon Russell Beale. Olivier (0171-482 3000). (S)
THE NEW ROCKY HORROR SHOW: Jason Donovan plays Frank 'n' Putter. Perhaps the show has inspired since its Birmingham opening last year. Victoria Palace, (0171-884 1317). (S)
ESCAPE FROM PTERADACTYL ISLAND: Award-winning American musical based on the story of early sci-fi novels, with new rock'n'roll songs from Michael Jeffrey. Phoenix Theatre (011-609 1800). (S)
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FILMS ON GENERAL RELEASE

James Christopher's choice of the latest movies

NEW RELEASES
AN IDEAL HUSBAND (PG): Oliver Parker's sophisticated homage to Wilde's over-the-top play is hijacked by Rupert Everett's mousy charming Lord Goring. With Jeremy Northam and Cate Blanchett.
HAPPINESS (18): Polonaise but gripping black comedy about dismal urban attempts to find happiness. Todd Solondz's film walks an original, edgy line between farcical humour and ghastly truths.
RETURN TO PARADISE (15): Joseph Ruben's ode of consolation film is only a bit surprising about two American buddies who face years in a Malaysian prison if they return to help the condemned buddy. With Vince Vaughn and Anne Heche.
PROMETHEUS (15): Tony Harrison's dense film-poem is a work of surreal genius and endless layers. Michael Fassbender is compelling as Zeus's family who looks at what we have achieved and destroyed with his stolen fire.
ACTRESS (15): Three famous Californian stage actresses site up old photographs. Too starchy, too self-conscious, with the dramatic impact of a slug. A static self-indulgent piece by Ventura Pons.

CURRENT

A CIVIL ACTION (15): Most court-room drama with John Travolta and Robert Downey Jr. in starring roles as two lawyers in a multi-million dollar case about toxic chemicals. Steven Zaillian directs.
THE FACULTY (15): Picky sci-fi thriller with high comedy quota from Kevin Williamson, the scribe behind *Seinfeld*. A faculty of schoolteachers get taken over by evil spirits from outer space. Director Robert Rodriguez flogs the creeping paranoia with some clutching wit.
SLAM (15): Set Williams puts a sensational performance as a black rap poet caught up in the Washington prison system. A gritty documentary-style film by Mark Roman.
HIGH ART (15): Ally Sheedy and Radha Mitchell spread lesbian love and doom in an upmarket photographic magazine. Drugs, decadence and Freudian fall to illuminate Lisa Cholodenko's conspired melodrama.

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The wrong man to run the BBC

Greg Dyke must be kept at arm's length, says Anthony Howard

There is no more sensitive post in the entire British power structure than that of Director-General of the BBC. Once appointed, whoever holds the office becomes the guarantor for the Corporation's independence, impartiality and objectivity. He is much more pivotal than the BBC Chairman who, by virtue of being chosen directly by Downing Street, has long been recognised as a creature of the patronage process.

It is also the Director-General who operates as the Editor-in-Chief for all the BBC's multifarious output. That responsibility was insisted upon by Sir William Haley when he took over as sole D-G from Robert Foot in 1944. With an unwise single lapse (when Sir Michael Checkland handed over his journalistic and editorial responsibilities to John Birt between 1987 and 1992), it has been the standard practice ever since.

The mere suggestion that the Prime Minister and the Culture Secretary should have their favoured candidate to become Sir John Birt's successor is in itself wholly improper — and in days when less lax standards prevailed than at the present time it would immediately have doomed the prospects of any such comendation.

Of course, a disqualification of that sort might be thought

Gordon Hewart, once famously insisted that "justice must not only be done but should also manifestly and undoubtedly be seen to be done". How is anyone going to recognise that as being the case in terms of party balance if the next person in charge at the BBC is not just an active Labour Party supporter but a backer and friend of the Prime Minister?

Admittedly, we may be told that, since the present Chairman of the BBC is a proclaimed Tory, the insertion of a figure such as Greg Dyke into the higher councils of the Corporation would be an act of maintaining political balance.

This strikes me as the most suspicious and sinister argument of all. The Government was under no obligation to reappoint Sir Christopher Blundell for a second term of office a full two years ahead of his first one running out.

But it pressed ahead cheerfully. It disappointed one of its most prominent film-making supporters, David Putnam, by failing to back him as vice-chairman. It then had to explain embarrassingly to the publisher, Gail Rebuck, that she was ruled out by reason of her marriage to the Labour Party pollster Philip Gould.

What, one wonders, was the purpose behind all this preliminary clearing of the decks? Had someone already spotted that if no one too high-profile

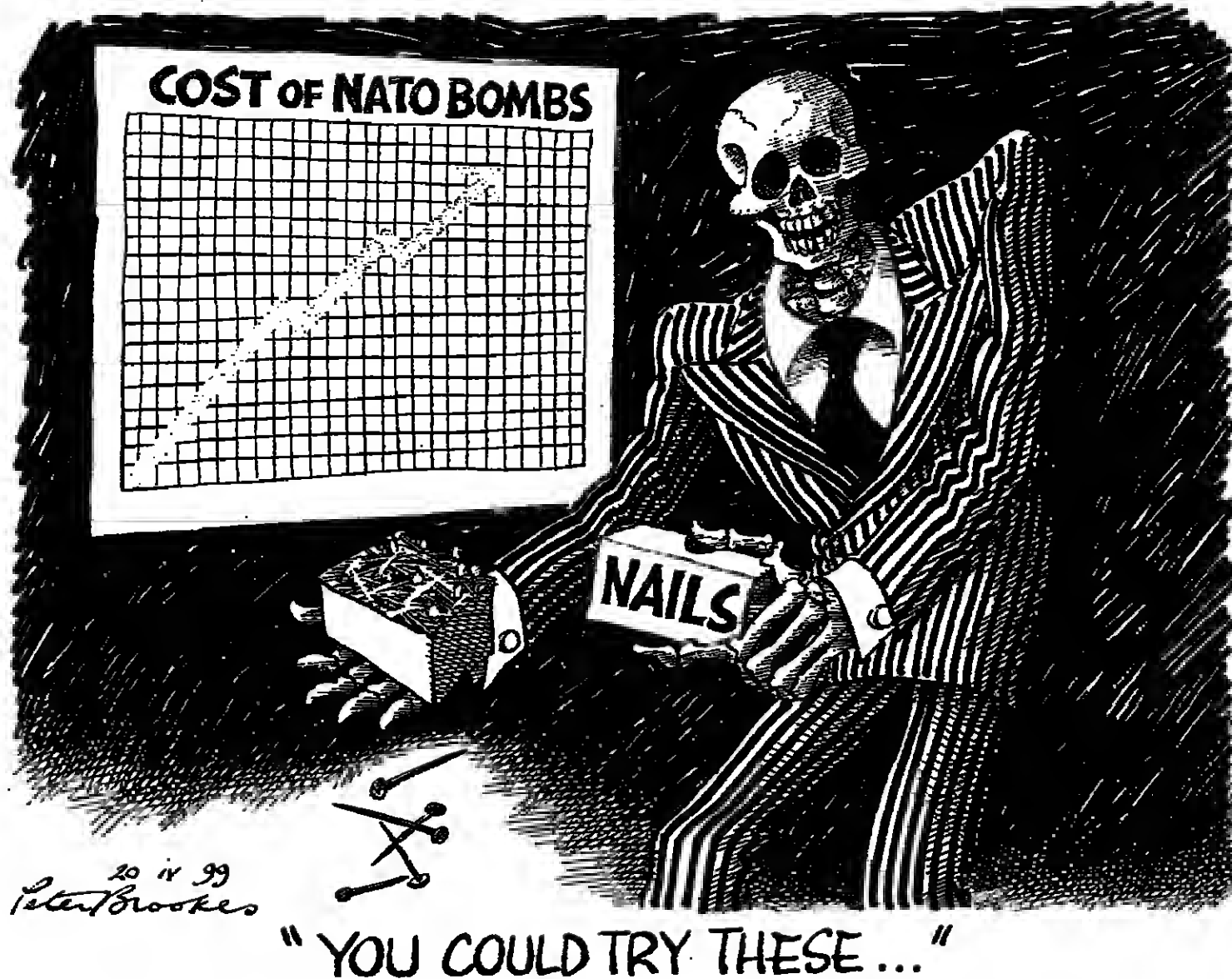
was appointed as vice-chairman (the job eventually went to Baroness Young of Old Scone) it would be a lot easier to slot in a politically sympathetic and personally compatible person in the much more influential role of Director-General? Perish the thought. But somehow it refuses entirely to go away.

The individual Governors now have a formidable responsibility in choosing the next D-G. Sir Christopher, for all his Tory affiliations, is held to be a strong advocate of Mr Dyke. But there is no reason why a chairman should always automatically get his way. Duke Hussey, after all, failed to do so when he originally wanted David Dimbleby to take the place of Alasdair Milne in 1987.

The appointment of Director-General is easily the most important task that can fall to any BBC board. The present board should realise what is at stake and react accordingly.

Even if, as one sometimes hears, Greg Dyke is the man most qualified to take that old public service monument of John Reith's forward into the world of digital communications, one insurmountable obstacle still stands in the way of his appointment. It would give the clearest signal yet that in Blair's Britain, pork-barrel politics has finally come into its own. And in case that is thought to be pitching matters a bit strong, just imagine what your feelings would be if you were John Simpson doing a war-reporting job in Belgrade and you suddenly learnt that your next boss was to be not just a declared supporter of the Labour Government, but also a close crony of its leader.

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Blue remembered thrills

We are just about at a safe enough distance to celebrate the Thatcher phenomenon

Tonight, with due ceremony and a William Hague speech, the Conservative Way Forward group will be looking backwards. Let us hope they keep a firm grip on the handrail in case of dizziness, for the occasion is a dinner to mark the passage of almost 20 years since Margaret Thatcher's first election triumph. You remember: the one when she stood on the steps of No 10 and quoted St Francis: "Where there is discord, may we bring harmony" — this being the first of a series of calls to harmony including "Not for turning", "No, no, no", "There is no alternative" and "Rejoice".

Well, it is a good moment to look back. The next couple of weeks will be overrun by even more piquant anniversaries, such as new Labour's 2nd birthday and NATO's 50th (apparently celebrations in Washington are being hastily downsized, with a tasteless ruling that lounge suits should replace black tie. Who says they have no shame?). So let us, too, pause and celebrate the gamey flavours of the Thatcher years, as seen from what is just beginning to feel like a safe distance. Or it did, until the Pinochet tea-party set nerves a-twanging once more.

How was it, really? Did she change everything, or was it an hallucination? This is not a political analysis. Others do that better. Nor is it a detailed account of how the doctrine of raw market forces rose and fell again (to the point that even Peter Lilley retreated from it yesterday). It is just an attempt to remember the chaotic, fiery, confusing feelings of the Thatcher years.

Because, have no doubt about it, the Thatcher thing was about feelings as much as policies. This was the most emotionally charged leadership we have ever had. People worshipped and loathed her with equal irrationality. While she was on stage nobody else counted: those who call Mr Blair "presidential" forget those Thatcher beams of lighthouse intensity, and how they drained the colour from all around her. He is, in comparison, a modest mouse.

Future historians will miss the point if they only study what the Thatcher Governments actually did, although there was plenty. They must understand the feelings: the devoted tests of the last ministerial loyalists, the loopy gallantry of Alan Clark's diary references to "The Lady", and the surges of frighteningly personal hatred for



Libby Purves

"Thatch" in hitherto mild people. Alongside the legal records and Cabinet papers they must somehow weigh the chants of "Maggie, Maggie, Maggie" — out, out, out! the myriad family rows and door-slammings over her, and the way that tots in the school playground mysteriously and unselfconsciously took to chanting:

"Miss Thatcher — stick her in the bin."

Put the lid on — Sellotape her in! We are just at these historians

ing an expert on early catheters and he would suddenly veer off into "of course, since Thatcher wrecked the NHS...". You would move hastily to a nonagenarian balloonist and ask heartily "Well, Thelma, do you have any other ambitions?", only to hear a quavering voice replying: "Yes, I want to see that wicked woman go before I die."

There are reasons to be written about policies, and Cabinet colleagues; but the volatile swirling emotion of the day only had one centre. Psychiatrists who had formerly used the question "Who is the PM?" as a test for dementia had to give it up, because by 1985 even the most demented patient knew the answer. Children growing up in the 1980s asked "Can a man be a Prime Minister?" yet Margaret Thatcher transcended gender.

But perhaps we were ready, needy, for such a dominatrix. The Britain of 20 years ago was greyly exhausted from a dark winter of uncollected rubbish and undug graves, and from the months of tedious brinkmanship and pact-making that had kept the Callaghan Government in power. Then this bright, bouffant bully sweeps in — with a majority of only 43 — and starts laying about her, fearless of unions and Europe alike, banging tables, setting down the law, defying ridicule, hectoring the city rioters of 1981 from a set consisting of an elegant Chippendale drum-table and a soft-shaded lamp, and then steaming through the Falklands war with cries of "Rejoice!" and "Failure? The possibility does not exist!" She was lucky there: a short sharp war, a broken Gallieni, and few of us ungrateful enough to point out that in her sexually enthusiastic embrace of defence budget cuts her Government had actually sold HMS Invincible to Australia just before

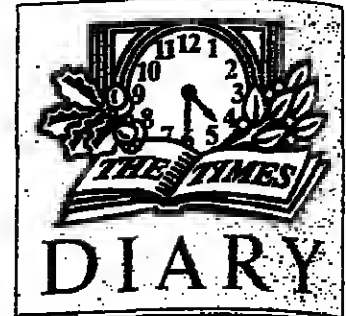
hand, and had to claw the ship back.

But the point was that luck suited her. It intensified both the crazy worship and the crazy hate. The world went on changing, we all got PCs, yuppies were born, York Minister was struck by lightning, the miners caved in, and Special Branch raided the BBC's Glasgow offices. And still she was not rattled. The Broadwater Farm riot did not look like dethroning her; nor the Westland affair, nor the torrid business of the "unassailable" Chancellor Lawson; nor did Sir Claus Moser's devastating 1990 speech about how, because of ten years of cuts, "hundreds of thousands of children have educational experiences not worthy of a civilised nation". She fought her own line to the last ditch, knowing she was right, jeering at the European single currency as "cloud cuckoo land", and appearing like an avenging fury behind poor John Sergeant in Paris to defy her challengers.

In the end, history got her. In that winter of 1990 we sat at our kitchen table with a portable television, unable to rip ourselves away from the soap-operatic denouement of these unnerving years. At times, with the lunchtime news on, our relationship with the Tory party felt like living next door to a huge, dysfunctional family squabbling over whether to put Aunt Ada in a home. Once I got so wrapped up that I made an extra cup of tea, and was pushing it across the table towards the screen before I realised that it was an ashen Teddy Taylor I had made it for. The final legacy of her serpent fascination was that the party couldn't bring itself to reward the man who first challenged her, and elected a dull, safe kind chap instead: whereon the nation couldn't bring itself to reject her heir, and therefore gave the dull chap five dull years.

Maybe we needed them. Certainly, when I heard John Major's sober monotone announcing the Gulf War it felt as if a noisy band had marched off over the horizon. And the first time Mrs Thatcher appeared briefly on the news afterwards, more than one of us in the room jumped out of our skins with shock at hearing, once more, that breathy, insistent, hypnotic tone telling us what to think. Hold the handrail, d'git this evening, chaps. She's not gone yet.

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Iris's love

ONE of literature's most passionate love stories is to be told at last. For years it was insisted that Dame Iris Murdoch was merely a devoted friend of Elias Canetti, the Nobel prizewinner. But John Bayley is to confirm that his late wife, below, was the author's lover. In his forthcoming second book on Murdoch, Bayley likens the late author, pictured, of *Auto-da-Fé* to Plutarch, god of the underworld, and refers to his crocodile smile.

Bayley, who nursed Iris through Alzheimer's, recalls an encounter with Canetti, a "massive, squat saturnine man". "He is the primal power figure. Iris's one-time lover, tyrant, dominator and master. Teacher, too, and inspiration. The great, all-knowing *Dichter*." (This was Bayley's name for the succession of quill twirlers who chased Murdoch so energetically.)

Bayley recalls his emotions during the height of his wife's affair: "I was terrified he would carry her off into his own dark underworld. But Iris escaped, fortunately for me."



CHRISTMAS has arrived in leisurely fashion for the natives of St Helena, Napoleon's Atlantic bolthole. Royal Mail toilers here let 113 sacks of presents stack up in the sorting office — missing several sailings of the island's sole supply ship. Observing the newly arrived tinsel, the Jamestown postmistress, Iva Henry, reflects: "The bubble has rather burst on Christmas by now."

FAY WELDON is attempting to journey to Belgrade to talk sense to Slobodan Milosevic. Her solution? Serb women should deny their hungry menfolk nocturnal pleasures (not always easy). "Historically, female encreasy has worked, this time there isn't any," Weldon tells me. She points to 1983, to Yugoslavia's successful sex strike to end the war with Serbia. "I'm all for entering the heart of the evil empire. If anyone would send me, I'd go."

JILLY COOPER is taking her first holiday for 12 years thanks to the quarantine laws being abolished. She and hubby Leo have stayed in Blighty as they have leaving Hero and Bessie, but they are now off New Zealand.

CONGRATULATIONS to James Burnell-Nugent, Captain of HMS *Invincible*. I gather he is to be promoted to Rear-Admiral, just as he shouts "chocks away" from the bridge in the *Adriatic*. Sadly, the news has come too late to add the extra ring to his uniform for a portrait he commissioned recently of himself as a gift to his wife.



ROGER MOORE seems to be rattling more than he is shaking or stirring these days. As he waddled out of Harrods, clutching the famous bags (olives for the Martinis, clip-on bow-ties and a bumper issue of Reader's Digest) a mature shopper from Barnsley way squealed. He raised an eyebrow, then sighed: "Sure doesn't feel like Bond any more."

A GUITAR is emerging as the Tories' most potent weapon. Set to deliver a dry speech to the Lord's Taverners yesterday, Michael Ancram, party chairman, strummed *Streets of London* expertly, paying tribute to the Marathon £1 million raiser John Spurling. When asked if he might run the Marathon, Ancram was joined by Sir Tim Rice to bang out *That'll Be the Day*, to wild applause.

A STERNER sort is Commander Hugh Orde of the Met. In charge of the bomb investigations in Britain, the supercop stayed up so late that he never got to bed — and changed in the back of a van before running the Marathon.

JASPER GERARD

'Gordon Brown realised things in Scotland were getting out of hand at the weekend. His conclusion: the Union may soon be dead, long live the unions'

Jason Allardyce

It may not be his first priority, but if Donald Dewar succeeds in winning the elections to the first Scottish parliament for 300 years, he may not have much time to sip the celebratory champagne before he puts in an order for beer and sandwiches.

The leader of the Scottish Labour Party is just as keen as Tony Blair, in principle, to distance himself from the party's traditional paymasters. But the trade unions have other ideas. And the Iron Chancellor, of all people, has given them grounds for optimism.

Labour may be on course for victory in the May 6 elections to the parliament in Holyrood. But this week the trade union movement in Scotland has flexed its collectivist muscles. And Labour has been forced to accept that it simply cannot afford to antagonise the brothers.

Labour made a tactically astute start to the campaign, forcing the Scottish National Party on to the back foot over Kosovo and tax. But while Labour's low-tax stance hurt the nationalists, it also discomfited the unions. The General Council of the Scottish TUC declared that "if necessary" the parliament should use the so-called tartan tax to invest in public services. This old Labour sentiment was dangerously close to the nationalist line. And it wasn't just on tax that the brothers were off-message.

Then came the Private Finance Initiative. The policy, whereby private money is used to fund public works, allows Labour to promise new hospitals and school-building. But at a price.

Although the initials PFI still barely register in most voters' minds, the policy has become a focus of discontent on Labour's

Left. According to the Left's champion in Scotland, the Labour MP John McAllion, the PFI is the means by which the ghost of Tory policies still haunts Scotland after an electoral exorcism in 1997. In practical terms, the unions believe that the use of the PFI will undermine their members' security, by removing their jobs from the public to the private sector.

The issue sparked the first real crisis of the Labour campaign last week, with the resignation from the party of Mark Irvine, one of the most powerful figures in Scotland's biggest union, Unison. He was worried about the "privatisation" of staff pay and conditions and says he can no longer "defend the indefensible". He was joined by Bob Thomson, the treasurer of the Scottish

Labour Party and another big Union name, who argued that sticking with the PFI would demoralise Labour activists and lose the party votes to the SNP.

The nationalists dubbed this left-wing revolt "PFI Friday". Their hope that Labour traditionalists would grow restive during an aggressively Blairite campaign seemed to be coming true.

Which is why the Blair Government's most aggressive campaigner has swung into action. Gordon Brown realised things were getting out of hand at the weekend. He recognised that the growing tendresse between the trade unions and the SNP threatened another Union — that between England and Scotland. In order to prevent Labour's traditional supporters flirting any further with the separatists,

he brokered a last-minute, old-style deal intended to head off a full-scale revolt when PFI was discussed at the STUC conference today. His conclusion seemed to be: the Union may soon be dead, so long live the unions.

Labour has told the brothers that they can have a role in selecting PFI bidders for hospitals, that wages and conditions will be guaranteed for an initial period and temporary contracts will be scrapped. Oh, and they could come to a breakfast with Mr Brown, Mr Dewar and leading figures from industry, just to prove that the party wasn't ashamed of its old friends when entertaining its new buddies in business.

It didn't satisfy the workers' end but it was enough to water down an STUC motion

critical of Labour and PFI. And it was also enough to prove a point. However much new Labour may resent their influence, the unions have to be appeased when the party is in trouble.

The unions, and their allies on the Left, could prove a thorn in the Labour leadership's side in the Scottish parliament. Difficulties could come not just from people such as John McAllion and Cathy Jamieson, on the far Left, but from any of about 20 likely MSPs. Because Labour is unlikely to win an outright majority in the new parliament, even a handful of rebels could cause chaos. The unions can hold a gun to the party's head whenever elections come around; the party's own MSPs can do so whenever a difficult vote arises — and that could be often. Better get the beers in, Donald.

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CHANGING GEAR

Blair and Ahern need to stick to the Hillsborough declaration

Sinn Féin and the main loyalist paramilitary organisations may not agree upon much but on two subjects they remain united: none will even initiate the decommissioning of arms and all believe the Good Friday agreement to be in a dire state because of the continued insistence of democratic politicians in the Province that some disarmament must soon take place. According to Gerry Adams the peace process is currently in "free fall". Billy Hutchinson of the Popular Unionist Party has described the Hillsborough declaration issued by Tony Blair and Bertie Ahern as "dead in the water". The clear, if perverse, message is that the terrorists must be allowed to retain their arsenals; if not, then they may be inclined to use them.

All of this will have been depressingly familiar to Mr Blair and Mr Ahern as they conducted yet another round of talks in London yesterday. The two Prime Ministers had hoped that the carefully crafted language deployed in their declaration issued three weeks ago might allow at least one paramilitary faction to engage in what is today described as a "collective act of reconciliation" and that this in turn would bring irresistible pressure to bear upon the rest. This has plainly not happened. There is little evidence that Sinn Féin in particular has made any movement in this direction. Another set of meetings has been scheduled next week. It would be surprising if there were any really dramatic new developments in the intervening days.

This is not to engage in mere fatalism. The Hillsborough declaration, for all its various linguistic contortions, does provide a plausible formula for reviving the Good Friday agreement. Mr Blair and Mr Ahern have rightly insisted that some sacrifice be made by terrorists before their political representatives can take a formal part in the administration of Northern Ireland. Many Ulster Unionists will feel, and with

solid reason, that the deposit of weaponry now being asked is almost pathetically modest when compared with the tangible benefits — most notably prisoner releases — that the IRA, UDA and UVF have extracted over the past 12 months. Nonetheless, David Trimble has so far managed to hold a majority of the majority in line.

This will not remain the case if Mr Blair and Mr Ahern dilute their own declaration. The essential task remains for the broadest possible collection of democratic politicians — the two Governments, Mr Trimble, John Hume and Seamus Mallon of the SDLP — to exercise maximum pressure on loyalist and republican paramilitaries alike to accept the declaration and act upon it. That pan-democratic coalition will only be credible and effective if the terrorists are convinced that they cannot obtain any more concessions by playing for time and issuing threats.

This means that Mr Blair and Mr Ahern must be willing, if necessary, to place in suspension or, in the distinctive dialogue of these negotiations, "park" the Good Friday agreement should the IRA hold fast. This in turn would allow Mr Mowlam to place a moratorium on prisoner releases, a move that remains by far the Government's most powerful card if it is only willing to play it.

There are without doubt risks in this shift of strategy. The marching season will soon acquire a momentum of its own. A fresh clash at Drumcree beckons while last year's conflict at the same spot remains unresolved. The Rev Ian Paisley and his Democratic Unionist Party have resolved to turn the European Parliament elections into a *de facto* second referendum on the Good Friday agreement. The temptation for the Government is to stumble on in the hope that the IRA will come to reconsider its position. It will not do so unless obliged to do so. Mr Blair and Mr Ahern need to change gear, not to change their direction.

EAST TIMOR'S AGONY

Indonesia is not delivering on its political promises

Hundreds of East Timorese were yesterday fleeing their capital, Dili, as knife-wielding thugs attacked anyone suspected of supporting independence for the former Portuguese colony. At least 30 people were killed at the weekend. But Indonesian troops made little effort to stop the violence of militias trying to intimidate pro-independence factions. Jakarta has promised autonomy for the troubled province; but its cynical encouragement of loyalists rampaging through the streets must now call into question the Government's sincerity. With thousands of refugees hiding in the mountains, President Habibie's negotiators will have a hard time explaining their policies in New York on Thursday.

The outside world has done little to stop the bloodshed that has darkened the lives of East Timor's 900,000 people for a generation. Invaded by Indonesia months after Portugal set them free in 1975, East Timor has been ruled with all the brutality of an oppressive police state. A 15,000-man Army is stationed on the half-island to enforce the diktat of Jakarta, which styles East Timor its 27th province. The Roman Catholic faith of the East Timorese has been aggressively discouraged, their Tetum language banned in favour of Bahasa Indonesia, and their leaders imprisoned. While 100,000 Muslim Indonesians have settled the territory, 200,000 East Timorese have been killed or starved to death.

Since President Suharto was swept away last year by nationwide rioting the new Government has rethought an occupation that is draining its treasury and the goodwill of trading partners. In January Mr Habibie proposed a take-it-or-leave-it solution. The East Timorese will vote in

July on whether to accept broad autonomy under Jakarta, abandoning their demands for independence, or to reject it and move towards full independence within a year.

There was dancing in the streets — prematurely. Communal violence has escalated, pitting the separatist Timorese against militias backed by Indonesian police and soldiers. On April 6, 2,000 terrified villagers hid in the church at Liquica, west of Dili. The Indonesian police fired teargas at them; as they fled, they were chopped down with swords.

Whether Jakarta is willing to honour its promises remains in doubt. The East Timorese activist Jose Ramos Horta has accused the Government of keeping the territory short of food to blunt its desire for independence. And there is strong evidence that Jakarta is covertly arming integrationist militias, in the hope of creating a situation so chaotic that the vote has to be postponed or cancelled. Integrationists fear the withdrawal of Jakarta's troops would prompt civil war. East Timor has a fragile economy. It grows little but coffee and has virtually no industry. Half its income comes from Jakarta to pay the wages of 24,000 civil servants.

The plan is still edging forward. On Thursday Ali Alatas, the Foreign Minister, will show the autonomy proposals to Portugal, the UN mediator. If they are approved, UN monitors will arrive in Dili by late May. There must be no delay. By August, after its first democratic elections in 44 years, Indonesia will have a new parliament and President who may back-track on Mr Habibie's offer. The East Timorese need justice now, before their case is destroyed by violence.

FUNNY BUSINESS

Clowning is for all ages and by many means

Laughter is said to be a gift of the gods, a medicine for the human mind. The clown offers a tonic to a puzzled society. From the bald-headed buffoon of ancient farce to the softened figure of the French Pierrot, this maverick has exerted a timeless power, breaking barriers with his humour, uniting peoples in shared fun. Now, for the first time, a British performer has been elected International Clown of the Year.

Kooky, alias Andy Stevens, is, astonishingly, the first non-American to win the post. He deploys a gently ribbing party routine in which under-sevens are set happily giggling by silly jokes and teasing stunts. Dressed in baggy tartan and an orange wig, he perpetuates the 1860s model of Auguste, a red-nosed prankster whose penchant was to pop up at the most inappropriate moment, spoiling the routines of his pallid-faced partner.

It is easy to see why young children are enchanted. They delight in the practice of lack of respect, in the idea of the adult descended to their level, in the overturning of proprieties so often sent to plague them. But the most stretching clowning trade in universal human emotion, their humour unrestricted by age or culture or belief. Adults by now are wearily accustomed to the safe traditions of slapstick and custard pies. Such japes comply with rather than overturn the conventions of a society. The modern clown should be willing to test the blade of the cutting edge.

This outsider's humour has long hinted at the arts of insurrection, of the bewildering swelling under society's veneer. "And if I laugh at any mortal thing, 'tis that I may not weep," wrote Byron. Humour awakens bittersweet emotions, sharpening sensitivities to the human predicament, to the pains and absurdities of life.

Earlier this year, when Anton Adassin-sky and his Russian clown troupe, Devero, performed in London's Queen Elizabeth Hall, they brought surreal horror as well as silly humour. Slava's *Snowshow*, currently running in the West End, makes cruel jest of suicide. Such disparities speak more clearly than conventions. Why else did Robert Beggini achieve unprecedented triumph in the Oscars? His juxtaposition of farce and the Holocaust probed precarious sentiments. Any who saw *Life Is Beautiful*, whether they loved it or loathed it, must have sensed that half-thrilling, half-scary, surge of feeling which comes when restraints are dangerously unloosed.

Such works reset in contemporary context the ancient transformative spirit of clowning. They return their viewers to some instinctive sense, opening poignant perceptions on to the plight of man. British clowns should not forget that their role was descended from the Vice character of the medieval mystery plays, a prankster capable of deceiving even the Devil — and at the same time arousing that laughter which is the gift of God.

'Bias' and 'spin' in Kosovo reports

From the President and four Vice-Presidents of the English Centre of International PEN

Sir, Freedom of expression is notoriously one of the first casualties of war. Before Nato bombs began to fall, there was an active and vocal opposition to the tyrannical regime of Slobodan Milosevic with its vile policy of slaughter and ethnic cleansing of the Kosovo Albanians.

Among the Serbian dissidents there were, as usual, writers and other intellectuals who, of course, received little or no encouragement, certainly no practical help, from the countries now bombing them.

It is an unfortunate fact that, as a result of Nato action, the opposition has been silenced, isolated and endangered. Milosevic's supporters have murdered the newspaper editor Slavko Curuvija (report, April 12), and we are informed that all opposition leaders now live in fear of their lives from the regime's murderous gangs. We wish to draw attention to the plight of these Serbs who are our natural allies and whose position is now so precarious. It may help if Nato concentrated on bombarding Belgrade not with high explosives but with leaflets informing the Serbs of the horrors Milosevic has unleashed in their name, a tactic used with considerable success in the Second World War.

It is a disturbing comment on our own attitude to freedom of expression that when John Simpson (letters, April 17) accurately reported the drawing together of many Serbs behind Milosevic as one of the outcomes of the bombing campaign, he was accused of being pro-Serbian. But then, Serbian statements are called propaganda and ours are known as spin. Both terms are deplorable.

If we cannot have peace let us at least have truth.

Yours truly,
RACHEL BILLINGTON,
President,
ANTONIA FRASER,
RONALD HARWOOD,
HAROLD PINTER,
JASPER RIDLEY,
English Centre of International PEN,
7 Dill Street, Chelsea SW3 4JE,
April 19.

From Sir Ludovic Kennedy

Sir, I yield to no one in my admiration for John Simpson, his integrity and courage. But I feel considerable unease at his present assignment, representing as he does the principal broadcasting authority of a country which is at war with the country where he is at present living. He remains there courtesy of the Serbian Government, which is presumably content to let him remain so long as from time to time his reports include items favourable to it, such as its claim that the airstrikes have made little or no impact on government or people, which may or may not be true.

I think that Simpson has been placed in an impossibly ambivalent position, trying to reconcile his hopes that his countrymen risk their lives over Yugoslavia may yet be successful, with "objective" reporting on the situation as viewed by the enemy in Belgrade. This seems to me to be a contradiction in terms.

Yours etc,
LUDOVIC KENNEDY,
Ashdown,
Avebury, Wiltshire SN8 1FF,
April 18.

From Mr Vincent Campbell

Sir, It seems remarkable to me that the Government should accuse John Simpson of pro-Serbian bias when every report he gives is prefaced by a comment about reporting restrictions. Nato, the Molto report events in the Balkans and the Allied Governments have controlled information and have conducted propaganda every bit as intensively as the Serbs, yet British broadcast journalists have persistently failed to prefix their reporting accordingly. Nato information is presented as fact, and even when visual evidence appears to contradict Nato, as in the cases of the bombed train and now the bombed civilians, British journalists describe such events as confused or uncertain, rather than saying that Nato might actually be lying.

If the Government is indeed trying to pressure journalists in this way it means only one thing — the war is going worse than anticipated.

We have seen journalists blamed for simply trying to report events in the Balkans and in Vietnam. In the case of Kosovo, however, the clear difference is the extent to which British journalists, with limited access to the war zone, are reliant on Nato sources and yet fail to acknowledge this in their reporting. BBC journalism isn't being overly neutral or sympathetic to the Serbs; it is pro-Nato, and ardently so.

Yours faithfully,
VINCENT CAMPBELL
(Teaching fellow),
Department of Film and
Media Studies,
University of Stirling FK9 4LA,
April 19.

Letters to the Editor for publication should carry a daytime telephone number. They may be sent to a fax number 0171-782 5046 — or by e-mail to: letters@the-times.co.uk

LETTERS TO THE EDITOR

1 Pennington Street, London E1 9XN Telephone 0171-782 5000

The Chris Woodhead 'conspiracy'

From Mrs Julie Savage

Sir, I am not a teacher, my children have left school, and I am not a member of any political party, but the reporting of "The Woodhead 'conspiracy'" (April 14) troubles me insofar as it appears to focus on Chris Woodhead's critics rather than the issues they raise.

It would seem that Mr Woodhead has a particular talent for assessing academic standards and challenging mediocrity and defensiveness. He also has a more formidable leadership role and responsibility to ensure that schools help to equip young people with sound ethical values and a robust moral framework by which they can develop the skills and principles which will enable them to play their part in building and maintaining a healthy society.

He has been judged effective in his job thus far, but this is not sufficient reason for the Secretary of State to seek to dismiss the questions raised by Mr Woodhead's former wife by unpleasant attacks on her motives (report, April 12; Libby Purves, April 13) and by allegations of left-wing political opportunism.

If Mr Woodhead had an affair with a pupil whilst a teacher in the Seventies, it was a serious breach of trust at that time but it is not the issue today. We do, however, need to know whether he is a man of integrity and whether his behaviour now, and that of Mr David Blunkett, reflect the high standards we have a right to expect from the holders of such important and influential roles.

Yours faithfully,
JULIE SAVAGE,
Newstead, Montrose Terrace,
Bridge of Weir,
Renfrewshire PA11 3DD,
April 14.

From Mr Tom Burkard

Sir, David Blunkett deserves full credit for resisting the hypocritical campaign against Chris Woodhead (report, April 17). I seriously doubt that anyone would take notice of quarter-century-old staffroom gossip — or the hearsay of an ex-wife — were it not for the Chief Inspector's success in winning the intellectual and political debate on educational methods. I suspect what really rankles in the

New D-G for the BBC

From Mr George Fischer

Sir, William Rees-Mogg managed to write about the BBC's future (article, April 12) without uttering the highly unflattering words public service broadcasting.

The idea used to be at the heart of the Corporation. Enabled by the licence fee, the BBC's aim was to be uninfluenced by political and commercial pressure while informing, educating and entertaining the public. It was the high degree of resistance to political and commercial pressure that set the BBC apart from other broadcasters and, indeed, the press.

Whoever the Governors appoint, the new Director-General will not be able to undo the debilitating combination of half-hearted public service and commercial spirit brought about by ineffectual governors and mediocre director-generals since the late Seventies.

Over the past 25 years or so the governors and the senior executives have mistaken management for leadership, the size of the Corporation's constituency for its standing and the obsession with the proliferation of the

Sand eel fishing

From Dr A. L. Rennie

Sir, You report (April 13) the welcome news that scientists advising the European Commission are to propose a ban — even if only a seasonal one — on sand eel fishing off the northeast coast of Britain. What seems strange to me is that it has taken a threat to seabird populations to bring this about. It is well known that these plankton-eating little fish form a vital source of food for the once vast stocks in the North Sea of the kinds of fish caught for us to eat. The decline in sand eels has directly affected the breeding success of these larger fish.

It is a sad commentary on our priorities that the human populations dependent on fish stocks, measured by the large and rapid decline over recent decades in those engaged in fishing and its ancillary industries and services, are clearly of less importance than the breeding success of the kittiwake — interesting and beautiful as these birds are.

Yours sincerely,
A. L. RENNIE,
Wellwood House, South Street,
Elie, Fife KY9 1DN,
April 13.

Making a packet

From Mr Jeremy Burrows

Sir, I have not the slightest idea how much I pay Britain's richest businessman to make the packaging in which most of the food I buy is wrapped (letter, April 16), but would willingly pay him twice as much not to.

Yours faithfully,
JEREMY BURROWS,
8 Dorchester Way,
Elstow, Bedford MK42 9FF,
April 17.

hearts of the ideologues who are going for his blood is that even we teachers are beginning to see the point of Chris Woodhead. Our profession will not regain public respect (to say nothing of decent pay agreements) until we get our act together and stop blaming everyone else for our failure to reach our pupils how to read and write.

Yours etc,
TOM BURKARD,
Riverside Farm,
Easton, Norwich NR9 5EP,
t.burkard@netcom.co.uk
April 17.

From Mr Tony Robinson

Sir, Apart from a brief conversation about Cornish folklore, I haven't been in touch with one of my alleged accomplices dedicated to the overthrow of the Chief Inspector of Schools for over a year, and I've not spoken to the other for months.

My contribution has been limited to a short statement to a Sunday newspaper which became aware that I knew about the affair. Why you should wish to transform this prosaic reality into "a carefully timed media offensive by a trio of experienced political activists" I leave your readers to judge.

My one crumb of comfort is that while friends and critics alike see me as a respectable, middle-aged Blairite, at least the good old Times still categorises me as a trouble-making leftie. Thank you.

Yours faithfully,
TONY ROBINSON,
c/o Kate Feast Management,
10 Primrose Hill,
Fitzroy Road, NW1 8TR,
April 15.

From Ms Kate Illingworth

Sir, As an "experienced political activist" I appear to have been astonishingly naïve in allegedly making such frank disclosures to Andrew Pierce about my thoughts and feelings on the Chris Woodhead affair. I seem to make a poor showing as a conspirator.

Yours sincerely,
KATE ILLINGWORTH,
36 Albert Park Place,
Montpelier, Bristol BS6 5ND,
April 14.

means of distribution for dedication to public service.

Yours faithfully,
GEORGE FISCHER,
6c Highland Road,
Bromley, Kent BR1 4AD.

From Sir Christopher Bland, Chairman of the BBC Governors

Sir, For the record, the appointment of the Director-General of the BBC (reports, April 17) is the responsibility of the Governors alone. The political independence of the BBC has always been jealously guarded; there has been, and will be, no discussion of any candidates with any politicians or any party.

The best man or woman for the job will be appointed by the 12 Governors following a rigorous, careful and objective selection process. The field, which includes internal and external candidates, is genuinely open.

Yours sincerely,
CHRISTOPHER BLAND,
Chairman,
British Broadcasting Corporation,
Broadcasting House,
Portland Place, W1A 1AA,
April 17.

Pedals on the Isis

From Captain Peter Adams

Sir, One must hope that Ben Johnson, president of the Junior Common Room at Magdalen College, Oxford, is not a student of history. His observation on the candy-striped, pedal-powered craft on the Isis (report and photograph, April 15) that "the most common punting customers are Italians, who are not natural sailors" is breathtaking.

Christopher Columbus and Amerigo Vespucci crossed unknown oceans when the English were just able to ship wine up the coast from Bordeaux.

Has Mr Johnson not heard of the great fleets of the maritime republics of Genoa, Venice, Pisa and Anagni, or the Roman grain ships of 1,000 tons capacity, so splendid that their masters' staterooms had mosaic floors and were not surpassed in carrying capacity for 1,800 years?

He should beware of sticking a punt pole in the Isis mud while Britain takes delivery of yet another giant cruise ship from Italian yards.

Yours faithfully,
P. M. ADAMS
(Master mariner),
62 Main Street,
Lambley, Nottinghamshire NG4 4PP,
April 15.

From Mr P. W. B. Semmens

Sir, Of course the "pedalo punts" are unsuitable for use on a river in Oxford. They are predominantly light blue in colour.

Yours faithfully,
PETER SEMMENS,
Danvers, 21 Springfield Road,
Upper Poppleton,
York YO26 6UL,
April 15.

Liverpool's 'lost' war memorial

From Mr Hal Giblin

Sir, When Sir Paul McCartney's (and my) old school, the Liverpool Institute High School, was converted, at great expense, to become the Liverpool Institute for the Performing Arts — Britain's own *Fame* school — concerned old boys of the school sought assurances from the trustees and the architects that the old school's two war memorials would be incorporated into the reconstruction.

In the event, we were told that financial considerations made this impossible for the time being, but until the situation could be remedied the memorials would be in safe keeping.

It is perhaps surprising, therefore, that two of my friends, Major David Evans and Mr George Donnison, were recently able to "rescue" the school's Second World War memorial by purchasing it for £10 from a second-hand furniture dealer in the city. A bargain, at about 12p a name, the dealer suggested. Apparently, items of this nature are bought to "decorate" restaurants, pubs, etc.

The 83 men recorded on the memorial include a "Dambuster" and a casualty from the D-Day landings as well as flyers, sailors and soldiers buried and commemorated all over the world.

Sincerely,
HAL GIBLIN,
10 Blundell Grove,
Highway, nr Liverpool L38 9EB.
10446.161@compuserve.com
April 15.

Hollywood wars

From Mr David Moles

Sir, While I can't deny that Hollywood produces far too many light-hearted "war" films, and that my countrymen have a sad tendency to be hawking right up to the point the body bags start coming in, I am amazed at one example cited by Ben Macintyre: "US lulled Hollywood myth of bloodless war". April 7, *Rambo* has every defect imaginable, but *Saving Private Ryan* hardly depicts a "bloodless war". Almost every major character is killed, most of them in rather gruesome ways.

I have been encouraging everyone I know to see the film in the hope that it may give them a better idea of what they're voting for when they vote to send in the troops.

Regards,
DAVID MOLES,
18-12-01 Sarugoku-cho,
Shibuya-ku, 150-0033 Tokyo, Japan,
April 8.

Loss of contact

From Mr David H. Walton

Sir, Dr A. A. Surgeon-Frame's frustrating experience with Directory Enquiries (letter, April 12) seems to me to be fairly typical of the BT services. It is also expensive when compared with what is on offer in Australia. There they have a free "White Pages" service for anyone connected to the Internet.

You only need to know the surname and roughly the area where the residence or business is located. A list of possibilities can be scanned until the correct one is found, or a wider search may be attempted. The service then offers a street map, which goes to the exact spot of the phone number/address located. Whilst the maps are sometimes a little slow in loading on to the screen the service is very good.

Yours truly,
DAVID WALTON,
10 St Guthlacs Close,
Crowland, Peterborough PE6 0ES,
April 12.

From Mrs Angela Laing

Sir, My own recent contact with Directory Enquiries has led me to believe that devolution has come early to Scotland.

Requiring a number at Eion College, I made two calls, both of which were answered in Glasgow by gentlemen operators who, between them, produced the following responses: no such name existed; was the college part of a university? Where was Berkshire? No spelling for Eion existed; it must be Eton.

In desperation I said that this was the rather famous school attended by Prince William — eliciting the response: "Who?"

Eventually I was given a number. The wrong one.

Yours faithfully,

ANGELA LAING,

The Armoury Flat,

Epsom College,

Epsom, Surrey KT17 4JQ,
April 12.

Makes you sick

From Mr N. J. Inkley

Sir, Insurance has taken on a whole new meaning for me.

Through the post has come an offer of healthcare. I am told "... you can even have a free 14-day trial ... (as long as you don't make a claim during the 14 days)".

Perhaps that at least deserves a Kitemark for honesty.

Yours,
NEIL INKLEY,
6 Knot Lane, Walton-le-Dale,
Preston, Lancashire PR5 4BQ,
April 19.

NEWS

Nato using KLA intelligence

Nato is using intelligence supplied by the Kosovo Liberation Army on the ground to help its planes to locate and destroy Serb positions in the war-torn province.

Despite repeated claims by Nato that it has no formal links with the rebel fighters, *The Times* has witnessed how the rebel fighters, supplied with satellite telephones, are providing detailed reconnaissance for Nato bombers. The intelligence is passed to Western "handlers" who relay the targets, enabling Nato to claim that it has no "formal links" Page 1 and 4-9

Convoy attack admitted

In an attempt to draw a line under the most damaging incident of the four-week campaign, Nato admitted for the first time that its jets had attacked two separate convoys last Wednesday..... Page 1

Ulster bystanders

A year ago 675,966 Northern Irish voters marched to the polls to record their overwhelming support for the Good Friday peace accord. Today they are silent bystanders as the accord threatens to collapse..... Page 2

Police training

Police officers should be given special training in dealing with mentally ill people who are known to be violent, an inquiry into the murder of a woman police officer recommended. The report criticised the police, social workers and the NHS..... Page 2

Corrupt solicitor

A corrupt Mayfair solicitor who loaned £163,000 to the late Dodi Fayed for his film company from money he had plundered from a trust fund for two young orphans was sent to prison for three years at the Old Bailey..... Page 3

Fame for Kooky

Kooky the Clown, a from Wiltshire, who has yet to become a household name outside his village, was made International Clown of the Year..... Page 3

Doubts over Dyke

Former governors of the BBC last night expressed concern at the prospect of Greg Dyke, who has donated £50,000 to the Labour Party, becoming the next Director-General..... Page 10

Welcome to open country

America will never look quite the same again. Marlboro man and Joe Camel, for decades landmarks of the US skyline and popular culture, have been banished. Within two days all giant billboards promoting cigarettes will have been consigned to the ashtray under an agreement to cover the health costs of smoking related disease..... Page 1

Holocaust museum

Leaders of Britain's Jewish community will unveil plans by the architect Daniel Libeskind this week for a national Holocaust museum beside the Manchester Ship Canal, in Trafford..... Page 12

Nail bomb escape

The toddler who had a tin nail removed from his brain after the Brixton market bombing was extremely lucky to have suffered only superficial injuries..... Page 13

Minor party

Other parties have their campaign battle buses. The re-branded Scottish Conservatives have a modest "people carrier". It has room for just six people..... Page 14

School drugs

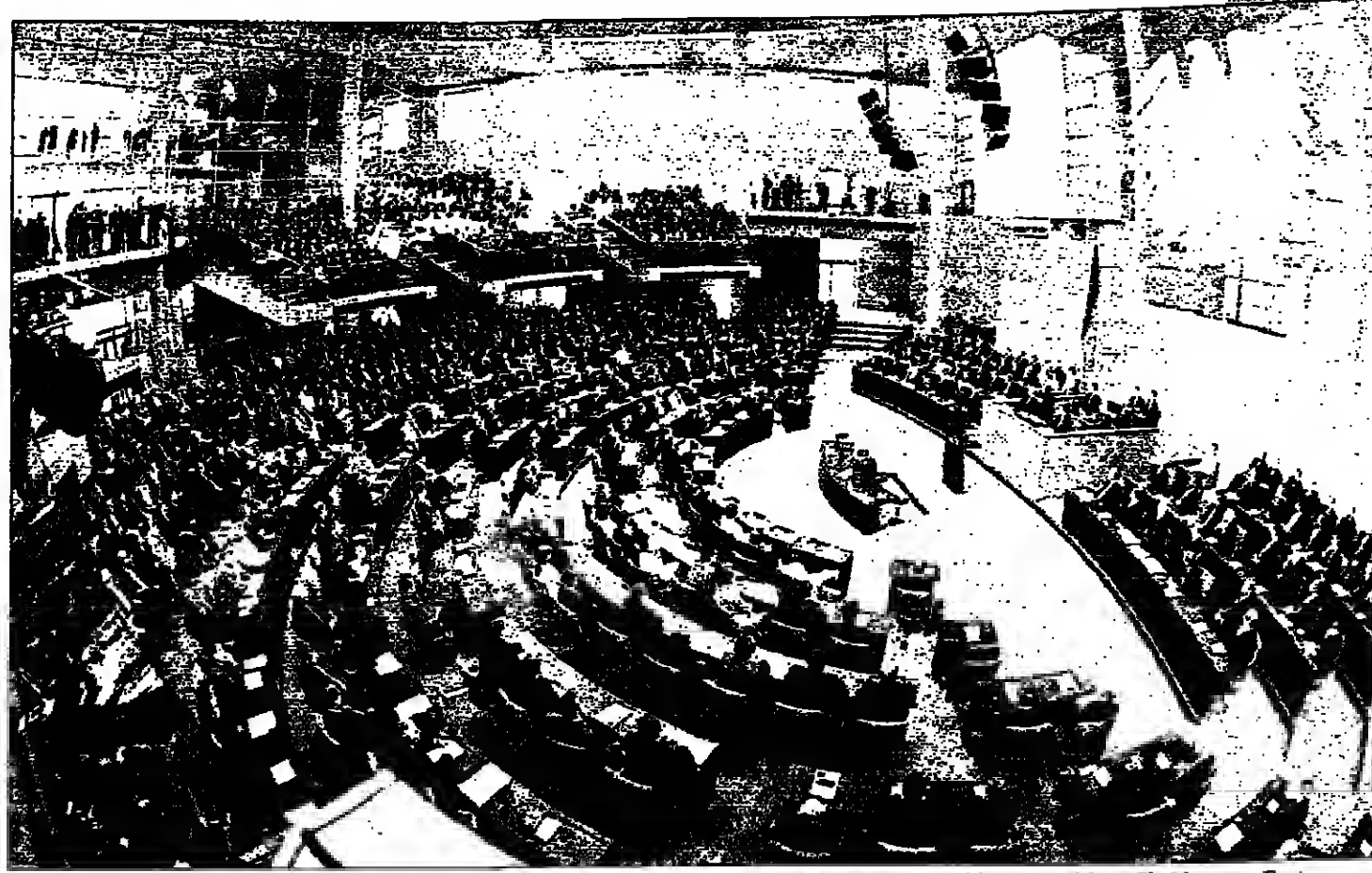
The headmaster of a comprehensive in an affluent suburb of Manchester brought a sniffer dog into the school in an attempt to end drug dealing..... Page 15

Turkish nationalists

The cold wind of Balkan nationalism penetrated Turkish politics as results of Sunday's general election became clear..... Page 16

Queen in Korea

Korea was deprived of its ancient monarchy 99 years ago by the colonising Japanese, but it can still stage a respectable show of pomp to welcome a member of the royal sisterhood..... Page 17



The Bundestag, the German lower house of parliament, meeting in the Reichstag, renovated by the architect Sir Norman Foster

Kingfisher falls

The shares of Kingfisher fell by more than 5 per cent after investors became nervous about its merger with Asda..... Page 29

Compag payoff

Eckhard Pfeiffer, the ousted chief executive of Compaq, could receive a payoff of more than \$225 million..... Page 29

Euro slumps

The Euro slumped to record lows against the pound and the dollar as fears grew that the war in Kosovo will take a heavy toll on European economies..... Page 29

Markets

The FTSE 100 rose 94.7 to 6515.3. The pound fell 0.27 cents to \$1.6117 but rose 0.47p against the euro to 65.85..... Page 32

Football: Arsenal

Arsenal are renewing their bid to sign Robbie Fowler, the Liverpool and England striker, who was assaulted on Sunday and suffered a broken nose..... Page 56

Rallying

Mechanical trouble hit Scotsman Colin McRae's hopes of a third successive race victory halfway through the opening leg of the Rally of Catalunya..... Page 54

Athletics

Joyce Chepchumba and Tegla Loroupe, locked in controversy over marathon times, could meet in London next year..... Page 54

Uefa

Chelsea's Dennis Wise has escaped punishment over the alleged biting incident..... Page 56

Big Screen USA

American critics are in two minds about Eddie Murphy's new vehicle, *Life*. Is it comedy or drama?..... Page 21

Artist's eye

A new show at the National Portrait Gallery reveals by the appliance of science what a painter sees..... Page 22

Music makers

While the Barbican and the Festival Hall put on powerful maestros, Kennedy wowed Basingstoke and Birmingham heard revelatory Mahler..... Page 22

Men in palamas

How four individuals not normally associated with musicals have collaborated on *The Pajama Game*..... Page 23

Dissecting divorce

How to survive a marriage break-up, from shock and separation through the grief and to acceptance..... Page 18

Parting shots

Angry words are fired in the heat of the legal battle that divorce often becomes but court is not for revenge..... Page 19

Learning curve

A new table details what's on offer in the arts and social sciences for tertiary students who want the best..... Page 20

Raw deal

Plans for a "no win, no fee" deal for accident compensation claims will deny people access to the legal system..... Page 41

Mischief-making

The law's conduct rules exist to protect clients from sexual advances but it is in danger of being abused..... Page 43

TOMORROW IN THE TIMES

■ INTERFACE

How to find the perfect bra on the Internet

■ FOCUS

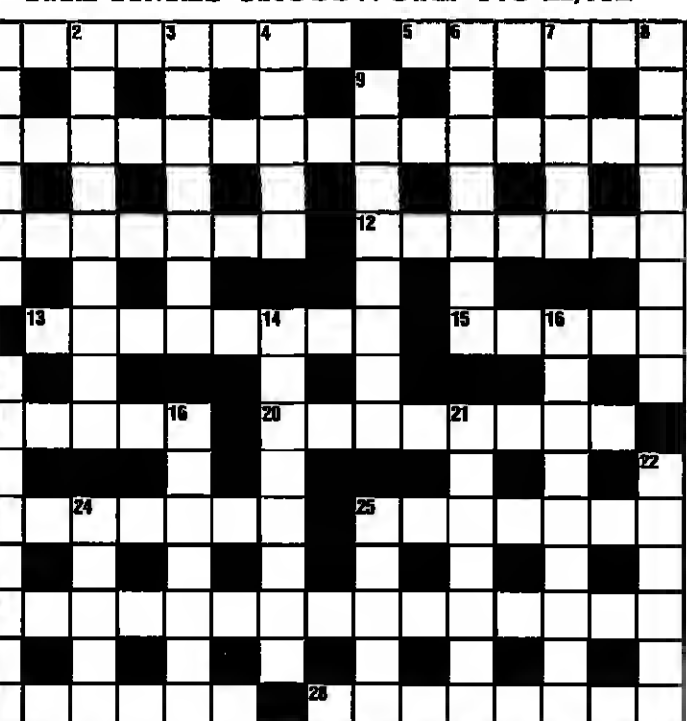
A report on the Queen's Awards for Export, Technological and Environmental Achievement

It is vital at this time of crisis in East Timor to be perfectly clear about where responsibility lies for the deaths and escalating violence. The real responsibility for the threatened descent into civil war rests squarely with ABRI, the Indonesian armed forces

— *The Sydney Morning Herald*



THE TIMES CROSSWORD NO 21,082



- ACROSS
- 1 A lot of money initially spent on a young relative (8).
 - 5 Attempt to provoke? That's the conclusion (4-2).
 - 10 Take a walk, as Procrustes sometimes would? (7,4,4).
 - 11 Riding with son advanced towards land (7).
 - 12 Girl and I entering hundreds of top races (7).
 - 13 Skilled player, after six, run out backing up thus (8).
 - 15 He composed some subtle harmonies (5).
 - 18 An old settler's point of view (5).
 - 20 Delay its reform in controlled manner (8).
 - 23 Dramatic scene when gold is taken on board (7).
 - 25 Like scrous membranes numbering more than one, say (7).

- DOWN
- 1 Frenchman's name associated with supplier of fossil fuel (6).
 - 2 Running in a race, initially, then taking it easy (9).
 - 3 About time editor stirred up US city (7).
 - 4 Natural earth or mineral aggregate found around church (5).
 - 6 Popular way everyone found place in office (7).
 - 7 For example, medals going round the grounds (5).
 - 8 Correspondence that conveys a particular view (8).
 - 9 Story one acted out (8).
 - 14 Concealed drunken boss - endlessly pickled, perhaps (8).
 - 16 Man or woman almost promises to pay for killing (9).
 - 17 Handyman's deed in setting up of corporation? (8).
 - 19 Raise tax for invasion of English general (7).
 - 21 In alignment, like guests at a formal dinner (7).
 - 22 Possibly a forward man or woman, according to Jaques (6).
 - 24 Plaintive cry from learner punished outside (5).
 - 25 Plant soundly identified by lots of birds (5).

Solution to Puzzle No 21,081

MINISTRIAL ARABIA
N I A A L I U
ACQUINT UNLEARN
L W I O S E
QUINQUOTH PENIT
N O N O I E
PENAL PUNCHBALL
E C L I T E U O
ARTHROPOD SCOUT
S R V E E K N
ORACLE COXSAIN
U D B O O F
PRIEDUE TIEPIN
E N R I A E
RAGGED TACITURN

Times Two Crossword, page 56

HOURS OF DARKNESS

Sun rises: 5.55 am
Sun sets: 8.04 pm
Moon sets: 9.15 am

First quarter April 22

London 8.04 pm to 5.53 am
Bristol 8.14 pm to 5.03 pm
Edinburgh 8.29 pm to 5.54 am
Manchester 8.38 pm to 5.57 am
Penzance 8.23 pm to 5.58 am

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General

much of England and Wales cloudy and breezy with outbreaks of rain. The outbreaks may be prolonged and the rain heavy, especially in the south. Northern parts will feel quite chilly in the strengthening wind, but temperatures in the south will be something nearer normal for the time of year. Northern Ireland will also be overcast, wet and windy. Rain will edge into southern Scotland, falling as snow over the hills. Northern Scotland will stay very cold with sunny spells and wintry showers.

Tonight, Northern Ireland and Scotland will be mostly cloudy, wet and windy but the far north of Scotland will have some snow. Snow over the Highlands should turn to rain by dawn. England and Wales will also be wet although the rain will become much more showery.

London, SE England, E Anglia, Midlands, E England: rain this morning then drier for a time before more rain arrives this afternoon. Freshening southerly wind. Max 13C (55F).

Central S England, Channel Islands, SW England, Wales: increasingly windy with heavy rain moving in this morning, lessening into the afternoon, but turning more showery this evening. Freshening southerly wind. Max 12C (54F).

NW England, Lake District, Isle of

Man

early rain clearing for a time, but it will stay windy with more rain later this afternoon. Freshening southerly wind. Max 10C (50F).

Central W, NE England: rather cold and windy with rain moving in and snow for a time on the hills. Fresh southerly wind. Max 8C (46F).

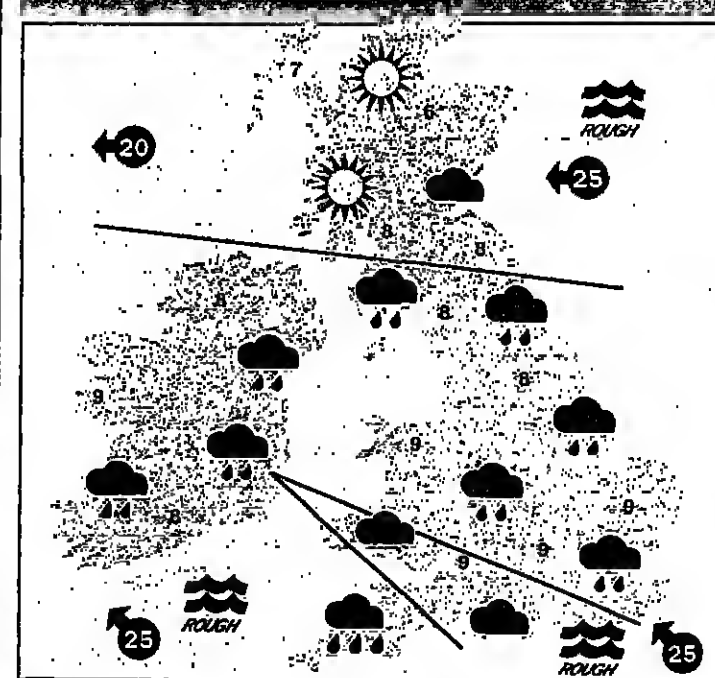
Borders, Edinburgh & Dundee, SW Scotland, Glasgow, Central Highlands: cloudy and windy with rain spreading northwards, falling as snow over the hills. Fresh easterly wind. Max 8C (46F).

Aberdeen, Moray Firth, NE Scotland, Argyll, NW Scotland, Orkney, Shetland: chilly and windy with sunny spells and wintry showers. Strong easterly wind. Max 8C (46F).

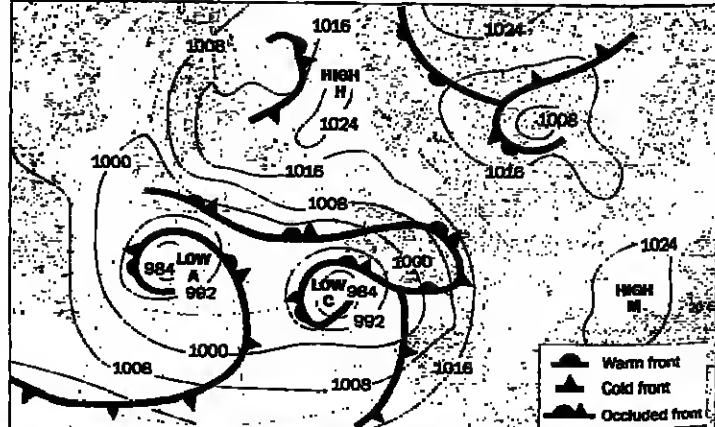
N Ireland: windy with a good deal of cloud and spells of heavy rain. Strong easterly wind. Max 9C (48F).

Republic of Ireland: overcast with rain, drizzle or rain, heavy at times. Strong southerly winds, becoming variable. Cold. Max 11C (52F).

Outlook: tomorrow will be windy with scattered heavy showers. Northern and eastern Scotland will have longer periods of rain. Scotland will remain cloudy and rainy on Thursday. Other areas will be brighter with a mix of sunny spells and occasional showers.



Changes to the chart below from noon: low A will move east a little and fill. Low C will move northeast, deepening slightly. Highs H and M will collapse slowly



Legend: Warm front, Cold front, Occluded front

Legend: Warm front, Cold front, Occluded front

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حکومت الاصل

Murphy takes Life seriously

Arts, page 45



BUSINESS • ARTS • LAW • SPORT • TELEVISION

THE TIMES

Legal aid goes up in smoke

Law, pages 41-43

BUSINESS EDITOR Patience Wheatcroft

TUESDAY APRIL 20 1999

Kingfisher shares fall over Asda merger nerves

By SARAH CUNNINGHAM, RETAIL CORRESPONDENT

SHARES of Kingfisher, the retail group, fell by more than 5 per cent yesterday after investors became nervous about the impact on its earnings of its proposed merger with Asda. The share price fell from 44p to 41.5p, while Asda shares rose from 180p to 185p. The combined group would have a turnover of £10.5 billion, making it the largest UK retailer. Kingfisher shares fell 44p to 41.5p. Continued speculation that Wal-Mart, the US retailer, or a continental European company, might come in with a cash bid for Asda gave some support to the supermarket group's share price. It closed down 5p at 193.5p. The fall in Kingfisher's price means that the all-paper deal was worth just 180p per Asda share by the end of yesterday. "In effect this should make it easier for a counter-bidder with cash to come in," one analyst said. Allan Leighton, chief executive, said he had had no indication from Wal-Mart, or any other retailer, as to whether they might come forward with a bid. "I haven't got a clue," he said. He said that it was wrong to interpret the deal as a defensive strike against the possible arrival of Wal-Mart, the world's largest retailer, in the UK. "This is an offensive move," he said. "It's a platform for growth." After a presentation by Sir Geoffrey Mulcahy, chief executive of Kingfisher, and Mr Leighton, the analyst said that while the two companies billed the deal as creating "a world-scale retailer", it was in fact exposing Kingfisher to a mature UK supermarket sector. Supermarket share prices have been under pressure because of a recently launched investigation by the Competition Commission.



Wim Duisenberg said yesterday the "point has not been reached" for ECB intervention on the euro

Euro slides to record low against sterling

By ALASDAIR MURRAY, ECONOMICS CORRESPONDENT

THE euro slumped to record lows against the pound and the dollar yesterday as the European Central Bank ruled out market intervention and fears grew that the conflict over Kosovo would take a heavy toll of European economies. Wim Duisenberg told the European Parliament the "point has not been reached" where the ECB felt sufficiently worried about the value of the euro to intervene and, for the moment, it would continue a policy of exchange rate "neglect".

Mr Duisenberg's comments sparked a fresh sell-off of the euro, which fell as low as \$1.0539 against the dollar, before making a modest recovery to hold at \$1.0610. The euro also lost further ground against the pound, falling to a record low of 65.60p.

Mr Duisenberg refused to state at what levels the ECB might consider intervention, claiming that it would provide an open invitation for speculation to test the Bank's resolve. He added that the crisis in Kosovo was weighing on the currency, although not to "an alarming extent".

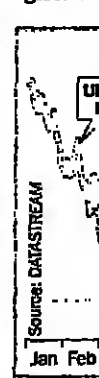
The President of the ECB also told MEPs that the ECB now expected growth to be slower than we earlier expected, describing European Commission forecasts of 2.2 per cent growth this year as "somewhat on the optimistic side". However, he ruled out

any further rate cuts "for the time being". Sterling was bolstered by stronger than expected producer prices data and comments from John Townend, director for Europe at the Bank of England, which raised expectations that rates will not fall much further. Mr Townend said that Britain's faster rate of economic growth meant that "we have required, and still do require, interest rates roughly twice the continental level to secure price stability".

The recent jump in crude oil prices pushed March factory gate prices up at a monthly rate of 0.6 per cent, the largest jump in nearly four years. The annual rate of increase rose from 0.2 per cent in February to 0.5 per cent. Raw material prices rose at their fastest rate for four years, climbing by 1.3 per cent in March but the annual rate

showed a decline of 3.7 per cent. The increase was almost entirely due to an 18 per cent increase in crude oil prices during the month. Analysts said root of the impact, however, would prove a "one-off". In London, a late rally pushed the FTSE 100 index to a record closing high of 6,515.3, an increase of 94.7 points.

Commentary, page 31



Pfeiffer may get \$225m Compaq payoff

FROM ADAM JONES IN NEW YORK

ECKHARD PFEIFFER, the ousted chief executive of Compaq, could receive a payoff of more than \$225 million (£140 million) after his departure from the computer maker.

Mr Pfeiffer bowed to calls for his resignation from the board on Sunday, nine days af-

ter Compaq gave a profit warning. Earl Mason, the chief financial officer, also resigned.

In a surging market, Compaq shares had fallen slightly by lunchtime yesterday, having risen by as much as 4.2 per cent earlier in the day.

At the end of last year, Mr Pfeiffer had share options worth \$410 million. However, Compaq shares were then \$42

million at the end of last year. They should now be worth about \$123 million.

Compaq and its senior executives are being sued by investors who bought shares between January 27 and April 9, when the profit warning was issued. The lawsuit also claims that Compaq executives "took advantage of the inflated stock price" to sell \$50

million of Compaq shares before the profit warning.

Analysts fear that Compaq is caught between selling its personal computers through traditional retail intermediaries and selling direct to consumers, in which the rival Dell excels.

Ben Rosen, chairman, will run Compaq until a new chief executive is found.

Company failures rise sharply

DESPITE falling interest rates and the supposed soft landing for the economy, there has been a sharp increase in companies collapsing (Jason Niswiler writes). According to figures from KPMG, there were 304 receiverships in the first three months of this year, up 24 per cent on the last quarter of 1998 and up 19 per cent on the same period a year ago. The South East's 146 receiverships were up 46 per cent, quarter on quarter. Mike Wheeler, of KPMG, said that although there was often a seasonal increase after Christmas, the rise compared with the same period last year was of some concern.

Westons net £300m from special dividend

By ROBERT COLE, CITY CORRESPONDENT

GARRY WESTON, chairman of Associated British Foods, and his family netted nearly £300 million yesterday as the firm surprised the stock market by returning £448 million to shareholders.

A significant step was also taken to ensure that the Weston family retains management control of the group. George Weston, 35, second son of the chairman, was appointed to the ABF board.

Mr Weston and his family control nearly 60 per cent of the firm, which includes Kingsmill bread, Silver Spoon sugar, and Twinings teas among its products. As such, the Westons re-

ceive the lion's share of the 50p-a-share special dividend. Their share of the £448 million total payout is £269 million but they earn another £23 million from the payment of the ordinary interim dividend.

Net cash at the end of the half year to February 27 stood at £1.2 billion. Analysts estimate that at the year end, after paying the special and ordinary dividends, ABF will still have more than £1 billion of cash.

ABF's interim pre-tax profits were £109 million, down from £193 million in the previous first half. However, £74 million of the fall came as

ABF wrote down the value of certain milling and baking assets. Underlying profits were £183 million compared with £193 million. The ordinary dividend is held at 4.25p a share.

Mr Weston senior said: "I do believe that as my family has such a large shareholding in the firm the family must have board representation." And he added: "George is a bright lad."

George Weston replaces David Garman, who resigned on April 16 as the head of ABF's bakery business, which has been hit by intense competition.

Temps, page 32



Garry Weston: promoted son

Inchcape confirms one-off 100p payout

By PAUL DURMAN

INCHCAPE, the car distribution group, yesterday confirmed that it plans to pay a special dividend of 100p a share, sending its shares 12½p higher to 155p.

The £30 million payment, which the market has expected for some weeks, has been held up by the sale of Inchcape's South American bottling business to Embotelladora Arica, a Chilean soft drinks company. Arica has had to arrange a bond issue, a rights issue and a syndicated loan to raise the £45 million purchase price.

Inchcape said that Arica is close to finalising its financing, with only the loan still to be arranged.

Inchcape intends to send shareholders a circular soon on the bottling disposal.

Inchcape, once a sprawling international conglomerate, has broken itself up in the past year to try to end the abysmal performance of its shares. They fell as low as 91p last year and remain far below their 550p of five years ago.

The company, chaired by Lord Marshall of Knightsbridge, who also heads British Airways, sold its Russian bottling business last October. In January it raised £93 million from the sale of its business marketing consumer goods in the Asia Pacific region, and

last month raised £72 million from selling its marketing operation in the Middle East. It has also sold a shipping services business to Electra Fleming, the venture capital firm.

Once it has sold its office equipment business in the Asia Pacific region, it will be reduced to an importer and distributor of marquee brands including Toyota, Mazda and Chrysler. Philip Cushing, chief executive, is due to leave the group in June, by which time Inchcape hopes to have completed its disposals.

Yesterday's announcement was prompted by a weekend report.

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High-tech high wire

Anatole Kaletsky on technology tremors

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FTSE 100	6515.3	(+94.7)
Yield	2.15%	
FTSE All Share	3610.25	(+10.55)
Nikkei	10674.21	(-17.37)
New York		
Dow Jones	10730.81	(+257.03)
S&P Composite	1334.10	(+15.10)

US RATE		
Federal Funds	4.75%	(6.75%)
Long bond	5.87%	(6.75%)
Yield	5.87%	(6.75%)

LONDON MONEY		
3-month interest	5.75%	(5.75%)
Life long rate	117.05	(116.05)

STERLING		
New York	1.0678	(1.0638)
London	1.0620	(1.0642)
Paris	1.5189	(1.5078)
SFR	2.4820	(2.4166)
Yen	168.51	(168.54)
£ index	105.3	(103.5)

COMMODITIES		
London	1.0618	(1.0707)
SFR	1.5097	(1.4986)
Yen	117.86	(117.82)
£ index	105.2	(105.0)

Tokyo close Yen 116.17		
NORTH SEA OIL		
Brent 15-day (Jul)	\$15.00	(\$15.55)

GOLD		
London close	\$383.85	(\$383.85)
* denotes midday trading prices		
Exchange rates		Page 30

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Sir Geoff bends the right ears

COMMENTARY
by our City Editor

Sir Geoff Mulcahy would never have made his living as a salesman. It may be that in putting Kingfisher and Asda together, there is scope for creating a world-beating retail business but, so far, Sir Geoff appears to have succeeded only in convincing the City that Asda has attractions far beyond what Kingfisher is proposing to pay.

But the relative share price movements do not tell the whole story. While Sir Geoff may have failed to enthuse his audiences yesterday, he has strong support where it counts — among the major investors who have backed him since Kingfisher consisted of a trio of former British Sugar executives with ambitions to buy Woolworths.

The likelihood is that people such as Carol Galley, at Mercury Asset Management, will be prepared to go along with Sir Geoff in this latest development of his strategy. The critics yesterday who were denouncing cost savings of £100 million as piffing were ignoring Sir Geoff's tendency towards conservatism. If the Asda camp had been in control of the proceedings, the figures might have looked very different and been presented with rather more razzmatazz. At Asda, they have demonstrated an ability to squeeze flatterer headlines out of everything from a naff wed-

ding in the supermarket aisles to a cut-price pack of vitamin pills. Why Archie Norman has failed to work the same magic for the Conservative Party is, no doubt, a source of much dismay at Central Office.

Even though Asda is a willing partner in this deal, even Allam Leighton yesterday could not quite avoid leaving open the tantalising possibility that Wal-Mart might come in with a bid that would trump the Kingfisher deal. "Never knowingly under-cut" could be the Asda slogan.

Yet Asda's openness to a bid has been the gossip of the grocery sector for months, and there has been no sign of an overseas visitor brandishing cash. The company has pushed forward with its low-price policy at the cost of investment in the stores. Last year, it flirted with Safeway before deciding that the competition authorities would never allow such a deal and calling off the dogs.

Given the current investigation into the grocery industry, a coupling with another UK supermarket group now seems highly

unlikely, so the only contenders would be from abroad. If Wal-Mart really were keen to enter the UK market, Asda is the most appealing candidate in terms of store size, but it is far from being a dream match for Sam Walton's mega-retailer.

Kingfisher is probably the best deal Asda shareholders will get. Sir Geoff may not be a spin doctor, but he will get that message across to those who matter.

All the wrong options at Barclays

Barclays describes as "an unfortunate coincidence" the fact that its chairman and finance director chose to take their profits on some share options just five days before the bank had to admit that it was, once more, in need of a chief executive.

But the misfortune belongs to the directors and not the bank. Far from mourning the loss of Mike O'Neill's services, Barclays shares bounded upwards on the news that he would be staying in sunny California and yesterday they continued in that direction. Outside investors are betting on Barclays being on the receiving end of a bid, and they do not expect to have to wait long.

Sir George Mathewson, chief executive of The Royal Bank of Scotland, has already mooted the idea of a get-together and is now thought likely to suggest a reverse takeover as an easy way of solving the Barclays management problems. So Andrew Buxton and Oliver Stockton might have been well advised to have held on to their options a little longer.

Yet their sales have renewed the curiosity over the Barclays predicament. After all, since the

bank insists that the pair sold without any knowledge that Mr O'Neill had had a nasty turn and would not be taking up the job, their actions hardly amounted to a gesture of confidence in the new chief executive.

Since Martin Taylor left, Barclays had been plodding on quite happily. Not doing anything drastic is generally a better strategy for a bank than being overly ambitious. So might Messrs Buxton and Stockton have detected a risk that Mr O'Neill planned to be something of an action man once he had settled behind the desk in Lombard Street? Could it be that the ex-Marine had ideas of aggressive expansion for Barclays? Might a board keen to make an appointment even have indicated some enthusiasm for going along with those ideas? And might that board have then suffered from a dose of cold feet?

Realising that the job might be more mundane than had been envisaged would not, of course, bring on an arrhythmic heartbeat but it could be jolly depressing. And depression, on top of the influenza that hit Mr O'Neill just as he was supposed to be heading to London, could be nasty.

Disclosure is the best policy

It sounds marvellous. The £350 million a year insurance policy takes the strength of Lloyd's central safety net fund to north of £800 million. Barring a disaster of late 1980s/early 1990s proportions, that should provide ample cover for names and corporate capital providers who keel over.

But as any car and home owners can testify, the devil of any insurance policy is in the small print. It is difficult to endorse wholeheartedly the purchase of this policy because the cost is not disclosed.

The cost will eventually be published, in the next Lloyd's annual accounts, but non-disclosure

now only raises suspicions that the policy is expensive. In addition, there is precious little detail provided on whether the annual premiums on this five-year policy are renegotiable. Or how and when exclusion clauses might kick in.

For Lloyd's, its ability to arrange this kind of insurance could help sentiment. If Swiss Re *et al*, who are backing the policy, are willing to take on the business, it ought to enhance Lloyd's credibility all round — for professionals and consumers alike.

But one can insure against just about anything if cost is no object. If Lloyd's wants to be seen as a good risk, it should waste no time in admitting to the cost of its new cover.

Merely a Wim

PITY poor Wim Duisenberg. The ECB President, already struggling with a tumbling euro, has now run into linguistic problems — no small matter when every nuance can move markets. His favourite noncommittal formula for discussing possible rate changes — not "in the foreseeable future" — was yesterday replaced by not "for the time being" — which, as he explained to MEPs, can only be defined as being "longer than the foreseeable future". He wears special specs.

Gucci says it will accept increased Arnault bid

By FRASER NELSON

GUCCI says it is ready to agree a takeover bid from Bernard Arnault, chairman of LVMH, if he raises his offer by only 3.5 per cent, to \$9.04 billion (£5.6 billion).

Domenico De Sole, chief executive of the Italian fashion house, says he is willing to make Gucci part of M. Arnault's luxury goods empire for an unconditional bid of \$8.8 a share.

Although M. Arnault has already suggested an \$8.5 a share takeover, he dismissed Gucci's offer on the grounds that Signor De Sole is no longer in a position to negotiate.

He says the power now lies with Francois Pinault, the French billionaire who last month helped Gucci to fend

off LVMH by acquiring a newly created 40 per cent stake for \$2.9 billion. LVMH said yesterday: "De Sole can name whatever price he wants, but the simple truth is that Gucci is an un-biddable company as long as Pinault controls 40 per cent of the shares."

TIMES
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"Price is irrelevant if an offer has no realistic chance of success."

Gucci said its offer was a final attempt to extract an unconditional bid from M. Arnault and end the four-month takeover saga. It said: "We have made a clear, straightforward offer and it is now down to LVMH to accept it or reject it."

M. Pinault, whose business empire includes Christie's auctioneers, stands to make a \$507 million profit if M. Arnault's offer of \$8.8 a share. He paid \$75 a share for his stake five weeks ago, diluting LVMH's stake in Gucci from 26 per cent to 17 per cent.

On Thursday, an court in Amsterdam, where Gucci is listed, will decide whether this

manoeuvre merits a formal investigation.

M. Arnault has made many informal indications about a takeover offer, but has never tabled a formal bid.

First-quarter results from LVMH yesterday showed a 12.8 rise in sales for the first three months of 1999 on the back of a recovery in its Asian markets. The company, whose labels span Christian Lacroix to Moët & Chandon, said champagne showed the strongest growth with underlying sales up 24 per cent.

Cornelis van der Hoeven, chief executive of the Dutch company Ahold, is joining the board as a non-executive director. Ahold has been named as a possible counter-bidder for Asda.

Quintain Estates to buy E&O

ENGLISH & Overseas Properties yesterday became the latest target of the acquisitive Quintain Estates and Development as the property group launched a £33 million takeover bid for its smaller rival (Matthew Barbour writes).

The two companies are believed to have been in talks for the past two months finalising the terms of the deal. The bid, now agreed by E&O, is 22½p in cash and one new Quintain share for every four E&O shares. This formula values each E&O share at 100p, giving a premium of 31 per cent to E&O's closing price on Friday, the day before details of the offer were announced. The offer compares with a net asset value of 105p.

Tito Tettamanti, chairman of E&O, has given irrevocable undertakings to sell his 26 per cent stake to Quintain.

SkyePharma in £40m offer

By PAUL DURMAN

SKYEPHARMA, the drug development group, is hoping to offload a £150 million liability by offering Jacques Gonella, its former deputy chairman, shares worth £40 million.

Dr Gonella, who is still a director, was the founder of Jago, the Swiss business that provided SkyePharma with its Geomatrix technology for controlling the release of oral drugs. Dr Gonella still owns a £60 million stake in SkyePharma, but he could receive another £250 million (£155 million) in deferred consideration.

Accounting standards require SkyePharma to charge notional interest on the deferred consideration, which last year increased its loss by £5.9 million to £22 million (£17.7 million loss). The company is concerned this will confuse invest-

tors and depress its share price when it moves into profitability, hopefully next year.

Ian Gowrie-Smith, chairman, suggested Dr Gonella might be prepared to accept £40 million to receive his money early, and to increase the value of his remaining holding.

SkyePharma has closed its Brightstone marketing business in the US, which generated sales of only £800,000 last year. The closure with the loss of about 20 jobs will cost £1.3 million but is expected to save £2.2 million a year.

Sales last year fell from £13.8 million to £11 million. Although this was blamed on lower income from development partners, royalties and distribution revenues also fell.

Tempos, page 32

Takeover rumours lift Devro

GRAHAM ALEXANDER, chief executive of Devro, is under pressure to make a formal statement to the London Stock Exchange saying whether he is planning to take the sausage skin manufacturer private (Fraser Nelson writes).

Shares of Devro closed up 12p at 144½p yesterday, having traded at 152p earlier in the day, on word that Dr Alexander and other directors are seeking backing for a 170p-a-share takeover bid.

There have also been rumours that Leon Allen, Devro's former chairman, is considering a 200p-per-share cash offer backed by Schroder Ventures. At yesterday's closing price the company is worth £226 million.

In February, Devro denied it had received any takeover approaches. It would not comment on yesterday's rumours.

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ECONOMIC VIEW

ANATOLE KALETSKY

High-techs on a high-wire act in Wall Street bubble

Plunging shares
in American
technology
sector threaten
tremors beyond
Silicon Valley

What will happen to the American economic miracle when the personal computer becomes just another cheap electronic gadget, bolted together in China or Thailand out of components made in Korea and Taiwan?

What will happen to the profits of America's dominant high-tech companies when people access the Internet through souped-up phones costing just a few tens of dollars, while full-function personal computers start to sell in no-name plastic boxes for the same price as microwave ovens or colour television sets?

And how will these tech companies maintain their extraordinary margins (in the case of Microsoft, a net 40.1 per cent on sales) once their business customers realise they are being exploited and transfer the humdrum business of ordering computers from glib information managers into the hands of ordinary purchasing managers who will expect the same sort of bulk discounts they now extract for purchases of filing cabinets, desk phones and swivelling office chairs?

I have been asking these questions for several years now, since I was first struck by the peculiar economic distortion that seemed to lie behind the personal computer industry's astonishing financial success.

The personal computer was essentially a pretty simple, unbranded, commodity product with little in the way of advanced technological content. But it was manufactured by an industry whose own production costs were falling at the rate of 50 per cent or more each year.

On the basis of normal economic principles, one would have expected PC prices to fall rapidly and the profits of manufacturers and software suppliers to disappear. This was what generally happened to consumer electronics — and there was intrinsically nothing more complicated or expensive about a computer than a television set or a VCR.

Yet two companies — Microsoft and Intel — had managed to turn the normal consequences of competition upside down. Instead of PC prices falling to reflect lower production costs and vast economies of scale, the features attached to computers kept growing, while their prices remained more or less unchanged — at about \$2,000 (£1,200). By constantly changing their specifications the dominant computer manufacturers and component suppliers were able to squeeze extraordinarily high profit margins (Microsoft's net margin on sales last year was 40.1 per



cent out of their bewildered customers.

Sooner or later this business model was bound to break down as consumers and business users alike realised that they were paying for an alphabet soup of "enhancements" — MMX, ActiveX, SCSI, USB — which they did not need and which actually made their computers larger and less reliable.

This finally started to happen in the US consumer market about a year ago and, more recently, in the business markets and around the world. Wall Street nevertheless assumed that high-tech companies would somehow remain invulnerable to the financial effects. But once computer prices really started crashing, will even Intel and Microsoft be able to avoid drastic price cuts and massive declines in profits, once PC manufacturers are forced to sell their finished boxes for \$200 instead of \$2,000?

Commonsense questions such as these, which were blithely ignored while the high-tech bubble expanded on Wall Street, are starting to be asked with growing urgency by American economists and investors as the bubble begins to implode. After last week's sudden plunge in technology shares, set off by Wednesday's warning from Compaq, the world's largest

PC manufacturer, that its profits would be about half analysts' expectations, it is worth considering what might be the consequences of a possible financial earthquake in Silicon Valley, not only on Wall Street but also on the American economy and the monetary policy of the Federal Reserve Board.

In terms of output and employment, high-tech, which in modern American parlance is synonymous with the computer and communications sectors, may only account for between 5 and 10 per cent of the US economy, depending on definitions. But high-tech is far more important as a financial phenomenon and as a driver of investment, profits and productivity growth.

Microsoft, for example, employs only 27,000 people and has revenues of just \$14.5 billion, but it is now far and away the world's most valuable company. In fact, the \$420 billion total price of its shares in late March on Wall Street was greater than the combined valuations of General Motors, Ford, Exxon, Boeing and Du Pont combined. Companies which between them generate 30 times as much revenue and employ 100 times as many people.

Such mind-boggling figures — reminiscent of the calculations done in Japan in the late 1980s, which showed that the value of the land surrounding the Imperial Palace in Tokyo was worth more than the entire state of California — may be of primary interest to stock market investors worried about the impact of the high-tech bubble on the valuations of Wall Street.

In fact, in the past 12 months the high-tech sector has been almost single-handedly driving the bull market on Wall Street. If Microsoft, Intel, AT&T, Dell and a handful of other high-tech giants were taken out of the index, the S&P 500 would actually be down on the year.

But the impact of the American high-tech boom on the US and world economies extends far beyond the financial markets. By some calculations, as much as 40 per cent of incremental investment spending in the past five years in America has been related to information technology. Most importantly, there is now a widespread consensus in America, embracing professional economists, business leaders and Federal Reserve officials, that the benefits of high-tech investment can go a long way to explain the near-miraculous "new paradigm" of American economic growth.

Alice Rivlin, the Fed's deputy chairman, said last week that the Fed had decided to re-examine critically all the traditional economic concepts which purported to link inflation with low unemployment and economic growth.

It was possible, she noted, that the new technologically driven economy would permanently produce more benign economic conditions than any America has seen before. In the past, very low unemployment generally led to higher wages, rising inflation and falling productivity, as less skilled workers were brought into the labour market. But today, the shortages of workers were encouraging businesses to redouble their investments in new technology. As a result, labour shortages could, according to Ms Rivlin, actually raise productivity and even help to push inflation downwards — contrary to the findings of conventional economic models.

To many conventional economists (myself included) Mr Rivlin's comments smack of precisely the kind of millenarian over-optimism that one would expect to hear near the top of an economic cycle, just when inflation was finally about to threaten a long period of extremely stable growth.

It would be quite appropriate, therefore, if the Fed's conversion to new-era thinking coincided precisely with the bursting of the Wall Street high-tech bubble. The fact that last week's collapse in technology shares coincided with an equally sudden upsurge in inflation-sensitive oil, paper, commodity and other heavy industry stocks on Wall Street, drew further attention to the possible threats to America's "new paradigm" of non-inflationary economic growth.

Of course, a fall in the price of computer shares would not in itself detract from the productivity-enhancing effects of using computers. On the contrary, the availability of cheaper and simpler computers should, if anything, help to accelerate productivity growth. From this point of view, the bad news for shareholders of Compaq and Microsoft should be very good news for the US economy as a whole. But such optimism begs questions about the real role of computer technology in the American economy's spectacularly successful recent performance.

Has the key role of personal computer technology been, as Ms Rivlin appears to believe, to revolutionise the efficiency of American business, thereby allowing living standards to grow rapidly without inflation? Or has the PC's biggest economic effect been to create the high-tech stock market bubble that has powered personal consumption and fuelled business investment? And if the financial bubble related to the PC finally blows up, will economic optimism continue to drive the American economy forward?

If the stock market trends of the past few days persist, these questions will be asked more urgently across America and may even start to be answered.



David Glass, president of Wal-Mart, leads staff in a chorus of the company song

Wal-Mart casts big shadow over Asda deal with Kingfisher

Sarah
Cunningham
reports on the
US retail giant
that is waiting
in the wings

Kingfisher and Asda say, indeed they insist, that their planned merger has nothing to do with the possible arrival in the UK of Wal-Mart. No one believes them.

Wal-Mart is not only the biggest retailer in the world, it is twice as big as its nearest rival. With an annual turnover of \$137 billion (£85 billion), it makes the combined Kingfisher/Asda sales of £17 billion look distinctly puny.

In the US, Wal-Mart operates out of huge warehouses, offering rock-bottom prices on everything from food to clothing to electronic equipment. It has opened in a number of overseas markets, in Latin America and the Far East, and has in the past two years made its first move into Europe.

It has bought two hypermarket businesses in Germany, the 21-store Wertkauf chain and 74 hypermarkets acquired from the Spar Handels group. By entering Germany, it is taking on Metro, the largest European retail group. Wal-Mart has been offering deep discounts that Metro has been forced to match.

Retailers in the UK are nervous that if Wal-Mart arrives on our shores it will do the same. It will be great news for consumers, but would wreck the plans of other mass market retailers, from Safeway to John Lewis. Wal-Mart — and a handful of continental operators — could yet choose to spoil the Kingfisher deal by coming in with a cash offer for Asda. Enough investors are convinced it will happen to have pushed the Asda price above the value of Kingfisher's all-share offer.

Germany is in many ways a much easier market for Wal-Mart to enter than the UK. "It has a price-sensitive culture and Germany has pretty poor retailing standards," one analyst said.

Germany also has far more small, family-owned hypermarket operators, which can be easier to acquire. "Then again," the analyst said, "let's not pretend. If Wal-Mart wanted to buy something here, it could easily do it."

Asda has long been seen as the obvious target for Wal-Mart. It has some of the largest stores in the UK — although they are still only one-fifth the size of Wal-Mart's largest — and it has a similar

hyped-up company culture. Although Asda refuses to comment, there is little doubt that Asda and Wal-Mart have discussed a deal.

Wal-Mart has built up a warehouse of about \$8 billion, and could buy one of Asda's largest rivals such as J Sainsbury or — in what would be the best catch of all — Tesco. Tesco, the market leader in the UK, is also developing a strong hypermarket business in Eastern Europe, which would fit beautifully with Wal-Mart's German business.

Wal-Mart took the position of the world's largest retailer in 1992, just 30 years after it was founded by Sam Walton. The son of an Oklahoma farmer, he opened his first store in Arkansas, where the business is still based, and by 1971 had just 38. In the next ten years this had grown to 330, although this still left it as only the 33rd-largest retailer in the US.

During the Eighties, it began studying its rivals closely, adopting new technology at a very early stage, and building up a highly efficient distribution system. When Sam Walton died in 1992, his family was worth \$25 billion.

Wal-Mart pioneered the art of motivating workers, some-

thing that British retailers have tried to emulate with varying degrees of success. The company's 850,000 employees still take part daily in the Wal-Mart cheer, in which they spell out the company name and ask: "Who's number one? the customer?" And, in a practice somewhat reminiscent of China under Chairman Mao, the one question that staff are always meant to ask themselves is "What would Sam do?"

The "ten-foot attitude" obliges store workers to look customers in the eye, greet them, and ask if they need any help whenever they pass within ten feet. It is all part of what Sam Walton called "aggressive hospitality", and much of it has been adopted in the UK, most vigorously by Asda.

The other part of the Wal-Mart formula is extremely efficient backroom operations. Warehouse staff at Wal-Mart's US distribution centres no longer need to work from printed instructions when making up an order. Instead, they wear a headset that allows them to move around the storeroom taking spoken instructions from a computer. They can also talk back to the computer, asking for clarification and further instructions. The system gives Wal-Mart one of the fastest and most efficient order fulfilment systems in the world.

Curiously, although Kingfisher insists that its strategy has nothing to do with defending itself against Wal-Mart, its in-house magazine has carried articles on how the US company operates. Sir Geoffrey Mulcahy, chief executive of Kingfisher, is clearly someone who follows the old maxim of "know thine enemy".

Taking advice

THE awfully named Invenys, the group formed by the merger between BTR and Siebe, which has been advertising to baffled readers of national newspapers this week, is now following in a familiar City tradition by requiring advisers to fight each other for their jobs.

The engineering conglomerate, just like Diageo and Royal & Sun Alliance before it, is whittling down its list of City advisers. There are currently seven. Siebe used, deep breath, Warburg Dillon Read and Dresdner Kleinwort Benson as well as retaining Morgan Stanley "for strategic issues".

BTR had CSFB, Cazenove, Schroders and Goldman Sachs — and much

good it did them, now I come to think of it. Goldman and Morgan Stanley have been involved in a strategic review of Invenys, but this does not mean they will survive.

One likely and piquant outcome, though, would be a tender reunion between Simon Robertson, who left Kleinwort after falling out with the Germans and is now at Goldmans, and his old friends there. Expect results by early next month.

SO WHAT kept you? The Asda-Kingfisher merger details were expected at 7.30 yesterday morning, then definitely forecast for 11.00am. They hit the screens after 1.00pm, barely in time for the analysts to absorb them before their briefing an hour later.

The delay, I learn, came because someone had to translate the documents into French, for the benefit of Kingfisher's French shareholders. Someone might have thought of that beforehand.

Swiss role

THERE is a rule that says the further they fall, the higher they bounce. One of the least-popular men in the City, whose fall delighted many of his employees, has just landed a new and well-paid job.

Mathis Cabiallavetta, who led Uni-



lion Bank of Switzerland into the "merger" with Swiss Bank Corporation in 1997 and then lost a large proportion of his workforce while the majority of their SBC counterparts kept their jobs, is becoming vice-chairman of mega-rich Marsh & McLennan, the American financial services outfit.

Cabiallavetta's own Waterloo came last October when the Swiss had to admit to a £400 million loss on the Long Term Capital Management hedge fund and he lost his job.

He is based at Zurich and will have offices both there and in New York, where he will "work to advance the strategic development of the company's global activities", whatever that means. His new employer owns Putnam Investments, the investment manager. I ring New York to ask how much Putnam itself lost on LTCM, but no one seems to know.

A RARE chance next week to hear Francesco Borelli, head of the Milan magistrate pool and the man whose investigations burst open the two main political parties in Italy, on investigating and prosecuting high-profile corruption and serious fraud.

Borelli's probe into financial links between business and politics led to the disgrace and exile of Bettino Craxi, the former PM, and he is something of a hero in his native country. He will speak at Middle Temple Hall, courtesy of the British Italian Law Association and the British-Italian Society.

Also there is David Calvert-Smith, our Director of Public Prosecutions. So far there are 140 acceptances, but not one, the organisers tell me, from our own Serious Fraud Office — or from the Financial Services Authority or any of its subordinate bodies.



Goa, Goa, gone

WHEN Keith Oates launched his failed bid for the Marks & Spencer leadership last autumn, it was assumed that Sir Richard Greenbury was in India on holiday. As I can now reveal, he was spearheading M&S's ambitious new venture there.

Admittedly, Marks & Spencer (India) has yet to progress beyond the beachfront at Goa, and as you can see below, there are still a few difficulties with the corporate branding. But a visitor reports that the store manager's motto is: "If we haven't got it in stock, we will get it by tomorrow."

When was the last time you heard that at one of Marks & Spencer's high street branches?

MARTIN WALLER
citydiary@the-times.co.uk



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Rowe & Maw

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Equities close at best of day

TRADING PERIOD: Settlement takes place five business days after the day of trade. Changes are calculated on the previous day's close, but adjustments are made when a stock is ex-dividend. Changes, yields and price/earnings ratios are based on middle prices.

1999	Price	%	1999	Price	%
High	Low	Company	High	Low	Company
ALCOHOLIC BEVERAGES					
515	446	Alfred Dunham	525	41	121
142	109	Brown & Calvert	134	41	155
142	63	Diageo	57	28	188
29	25	Diageo	57	28	188
29	25	Diageo	57	28	188
29	25	Diageo	57	28	188
BANKS					
1145	1145	ABN-AMRO	136	28	173
142	109	Brown & Calvert	134	41	155
142	63	Diageo	57	28	188
29	25	Diageo	57	28	188
29	25	Diageo	57	28	188
DIVERSIFIED INDUSTRIALS					
615	446	Alfred Dunham	525	41	121
142	109	Brown & Calvert	134	41	155
142	63	Diageo	57	28	188
29	25	Diageo	57	28	188
29	25	Diageo	57	28	188
BREWERIES, PUBS & REST					
38	218	Asahi Breweries	49	24	262
38	218	Asahi Breweries	49	24	262
38	218	Asahi Breweries	49	24	262
38	218	Asahi Breweries	49	24	262
38	218	Asahi Breweries	49	24	262
BUILDING MATERIALS					
88	218	Asahi Breweries	49	24	262
88	218	Asahi Breweries	49	24	262
88	218	Asahi Breweries	49	24	262
88	218	Asahi Breweries	49	24	262
88	218	Asahi Breweries	49	24	262
CHEMICALS					
153	124	Amalgamated	115	44	155
153	124	Amalgamated	115	44	155
153	124	Amalgamated	115	44	155
153	124	Amalgamated	115	44	155
153	124	Amalgamated	115	44	155
CONSTRUCTION					
40	59	Amalgamated	115	44	155
40	59	Amalgamated	115	44	155
40	59	Amalgamated	115	44	155
40	59	Amalgamated	115	44	155
40	59	Amalgamated	115	44	155
DISTRIBUTORS					
242	197	Asahi Breweries	199	16	118
242	197	Asahi Breweries	199	16	118
242	197	Asahi Breweries	199	16	118
242	197	Asahi Breweries	199	16	118
242	197	Asahi Breweries	199	16	118

1999	Price	%	1999	Price	%
High	Low	Company	High	Low	Company
FOOD MANUFACTURERS					
1145	1145	ABN-AMRO	136	28	173
142	109	Brown & Calvert	134	41	155
142	63	Diageo	57	28	188
29	25	Diageo	57	28	188
29	25	Diageo	57	28	188
HEALTHCARE					
38	218	Asahi Breweries	49	24	262
38	218	Asahi Breweries	49	24	262
38	218	Asahi Breweries	49	24	262
38	218	Asahi Breweries	49	24	262
38	218	Asahi Breweries	49	24	262
HOUSEHOLD GOODS & TEXT					
88	218	Asahi Breweries	49	24	262
88	218	Asahi Breweries	49	24	262
88	218	Asahi Breweries	49	24	262
88	218	Asahi Breweries	49	24	262
88	218	Asahi Breweries	49	24	262
INSURANCE					
40	59	Amalgamated	115	44	155
40	59	Amalgamated	115	44	155
40	59	Amalgamated	115	44	155
40	59	Amalgamated	115	44	155
40	59	Amalgamated	115	44	155
INVESTMENT TRUSTS					
242	197	Asahi Breweries	199	16	118
242	197	Asahi Breweries	199	16	118
242	197	Asahi Breweries	199	16	118
242	197	Asahi Breweries	199	16	118
242	197	Asahi Breweries	199	16	118

1999	Price	%	1999	Price	%
High	Low	Company	High	Low	Company
LEISURE & HOTELS					
1145	1145	ABN-AMRO	136	28	173
142	109	Brown & Calvert	134	41	155
142	63	Diageo	57	28	188
29	25	Diageo	57	28	188
29	25	Diageo	57	28	188
MEDIA					
38	218	Asahi Breweries	49	24	262
38	218	Asahi Breweries	49	24	262
38	218	Asahi Breweries	49	24	262
38	218	Asahi Breweries	49	24	262
38	218	Asahi Breweries	49	24	262
PHARMACEUTICALS					
88	218	Asahi Breweries	49	24	262
88	218	Asahi Breweries	49	24	262
88	218	Asahi Breweries	49	24	262
88	218	Asahi Breweries	49	24	262
88	218	Asahi Breweries	49	24	262
RETAILERS, FOOD					
40	59	Amalgamated	115	44	155
40	59	Amalgamated	115	44	155
40	59	Amalgamated	115	44	155
40	59	Amalgamated	115	44	155
40	59	Amalgamated	115	44	155
RETAILERS, GENERAL					
242	197	Asahi Breweries	199	16	118
242	197	Asahi Breweries	199	16	118
242	197	Asahi Breweries	199	16	118
242	197	Asahi Breweries	199	16	118
242	197	Asahi Breweries	199	16	118
WATER					
40	59	Amalgamated	115	44	155
40	59	Amalgamated	115	44	155
40	59	Amalgamated	115	44	155
40	59	Amalgamated	115	44	155
40	59	Amalgamated	115	44	155
ALTERNATIVE INV MARKET					
242	197	Asahi Breweries	199	16	118
242	197	Asahi Breweries	199	16	118
242	197	Asahi Breweries	199	16	118
242	197	Asahi Breweries	199	16	118
242	197	Asahi Breweries	199	16	118
SUPPORT SERVICES					
40	59	Amalgamated	115	44	155
40	59	Amalgamated	115	44	155
40	59	Amalgamated	115	44	155
40	59	Amalgamated	115	44	155
40	59	Amalgamated	115	44	155

1999	Price	%	1999	Price	%
High	Low	Company	High	Low	Company
PRINTING & PAPER					
1145	1145	ABN-AMRO	136	28	173
142	109	Brown & Calvert	134	41	155
142	63	Diageo	57	28	188
29	25	Diageo	57	28	188
29	25	Diageo	57	28	188
PROPERTY					
38	218	Asahi Breweries	49	24	262
38	218	Asahi Breweries	49	24	262
38	218	Asahi Breweries	49	24	262
38	218	Asahi Breweries	49	24	262
38	218	Asahi Breweries	49	24	262
TRANSPORT					
40	59	Amalgamated	115	44	155
40	59	Amalgamated	115	44	155
40	59	Amalgamated	115	44	155
40	59	Amalgamated	115	44	155
40	59	Amalgamated	115	44	155
OTHER FINANCIAL					
242	197	Asahi Breweries	199	16	118
242	197	Asahi Breweries	199	16	118
242	197	Asahi Breweries	199	16	118
242	197	Asahi Breweries	199	16	118
242	197	Asahi Breweries	199	16	118
BRITISH FUNDS					
40	59	Amalgamated	115	44	155
40	59	Amalgamated	115	44	155
40	59	Amalgamated	115	44	155
40	59	Amalgamated	115	44	155
40	59	Amalgamated	115	44	155
SHORTS (under 5 years)					
242	197	Asahi Breweries	199	16	118
242	197	Asahi Breweries	199	16	118
242	197	Asahi Breweries	199	16	118
242	197	Asahi Breweries	199	16	118
242	197	Asahi Breweries	199	16	118
LONGS (over 15 years)					
40	59	Amalgamated	115	44	155
40	59	Amalgamated	115	44	155
40	59	Amalgamated	115	44	155
40	59	Amalgamated	115	44	155
40	59	Amalgamated	115	44	155
UNLISTED					
242	197	Asahi Breweries	199	16	118
242	197	Asahi Breweries	199	16	118
242	197	Asahi Breweries	199	16	118
242	197	Asahi Breweries	199	16	118
242	197	Asahi Breweries	199	16	118
MEDIUMS (5 to 15 years)					
40	59	Amalgamated	115	44	155
40	59	Amalgamated	115	44	155
40	59	Amalgamated	115	44	155
40	59	Amalgamated	115	44	155
40	59	Amalgamated	115	44	155

LEISURE & HOTELS					
1999	Price	%	1999	Price	%
1145	1145	ABN-AMRO	136	28	173
142	109	Brown & Calvert	134	41	155
142	63	Diageo	57	28	188
29	25	Diageo	57	28	188
PROPERTY					
38	218	Asahi Breweries	49	24	262
38	218	Asahi Breweries	49	24	262
38	218	Asahi Breweries	49	24	262
38	218	Asahi Breweries	49	24	262
38	218	Asahi Breweries	49	24	262
TRANSPORT					
40	59	Amalgamated	115	44	155
40	59	Amalgamated	115	44	155
40	59	Am			
OTHER FINANCIAL					
242	197	Asahi Breweries	199	16	118
242	197	Asahi Breweries	199	16	118
242	197	Asahi Breweries	199	16	118
242	197	Asahi Breweries	199	16	118
242	197	Asahi Breweries	199	16	118
RETAILERS, FOOD					
40	59	Amalgamated	115	44	155
40	59	Amalgamated	115	44	155
40	59	Am			

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Office

JUDGE OF THE COURT OF FIRST INSTANCE OF THE EUROPEAN COMMUNITIES, LUXEMBOURG

The Court of First Instance was established in 1988. It is attached to the Court of Justice of the European Communities and has its seat at the Court in Luxembourg. The Court has a wide jurisdiction, but deals mainly with competition and commercial matters, and with disputes between the institutions of the European Union and their staff.

The UK Judge of the Court is appointed by common accord of the Member States on the recommendation of the Government. Following Judge Christopher Bellamy's forthcoming appointment to the new Competition Commission, this post will fall vacant. The Government invites applications from candidates possessing the necessary qualifications and expertise for this important judicial appointment.

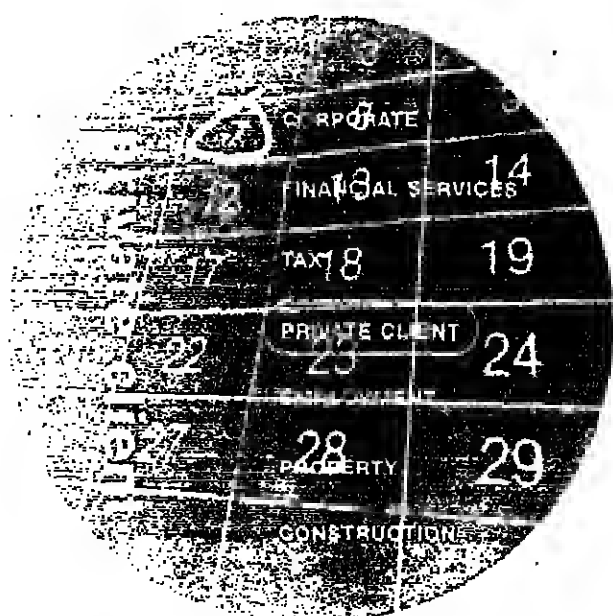
Applicants should normally be under 60 on 1 October 1999, when the successful candidate will be ready to take up appointment. They must possess a ten year general qualification (or its equivalent in Scotland or Northern Ireland). The successful applicant will be required to demonstrate a sound working knowledge of French, as the Court's deliberations are not subject to translation. Serving holders of judicial office are eligible to apply but, if successful, they will be expected to resign their office.

The Government will select for appointment the best qualified candidate, regardless of ethnic origin, gender, marital status, sexual orientation, political affiliation, religion or (subject to the physical requirements of the office) disability.

An application form, together with further information for applicants, is available by telephoning 0171 210 8983 (voicemail will operate outside normal office hours) or by writing to:

Judicial Group Division 1B
Lord Chancellor's Department
Selborne House
54-60 Victoria Street
London SW1E 6QW
e-mail: jag.lcdhq@jnet.gov.uk

Completed application forms must be returned by noon on Friday 14 May 1999



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For further information, in complete confidence, please contact Greg Abrahamson or Stephen Rodway on 0171 405 6062 (0171 405 6063 evenings/weekends), or write to them at QD Legal.

Email: abrahamg@qdggroup.co.uk

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London WC1R 4JH
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As a result of continued growth in the region, Leasetec is seeking to appoint a European Regional Counsel. Based at its European Headquarters in Ascot, you will provide high-level advice to the business and establish the European legal function for the company.

With between 4 and 7 years' post-qualification experience, gained either in a City practice or in-house, you will have a strong commercial law and transactional background together with some involvement in corporate and finance issues. A knowledge of equipment leasing, whilst highly desirable, is not a prerequisite.

You will be a motivated, commercially-minded individual who is keen to contribute in a strategic manner to the business. Crucially you will be able to work autonomously, liaising effectively with local lawyers in each jurisdiction with the ability to deal comfortably with management at all levels internationally. Some travel will be required and a second European language would be an advantage.

This is a challenging and exciting opportunity for a high calibre individual to take on a pivotal role in this international company. In return, Leasetec offers an excellent package including competitive base salary plus a comprehensive benefits package.

For further information, in complete confidence, please contact June Meierle on 0171 405 6062 (0171 405 6063 evenings/weekends) or write to her at QD In-House Legal.

Email: meierlej@qdggroup.co.uk

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This assignment is being exclusively handled by QD In-House Legal and all direct or third party applications will be forwarded to them for consideration.



Banking & finance lawyers

Equity capital markets
Premier European House

This highly respected full service international organisation has a reputation for both professionalism and maturity in its business approach. It continues to grow organically and by way of a focused strategy of acquisitions.

The equity capital markets business area of investment banking has identified the need for a senior corporate finance lawyer (minimum of 4 years' ppe) with experience of IPOs to perform a commercial, advisory and transactional role as part of the talented Legal Department. The existing team consists of first class lawyers with refreshingly down to earth attitudes from the most senior member down. Remuneration and prospects for progression and first class.

Funds

Large international client base

Our client is the fund management subsidiary of an international financial services group. With total assets under management exceeding £45 bn and a global presence, it is a market leader.

The group legal department is seeking a further member to be responsible for a mixed portfolio of work advising both operating and administrative departments. The role will encompass general commercial contractual legal advice to the group and board, together with some specific fund and investment trust advice, although prior funds experience is not prerequisite. The position will also involve some secretarial duties and management of a company secretarial assistant, so an in depth knowledge of this area will be essential.

Senior derivatives lawyer
Major European House

Our client is a large full service investment bank who has experienced international development success and is well-known for the speed and innovation of its banking services.

The legal department now wishes to appoint a senior specialist to assume responsibility for the derivatives business and related areas. Ideally candidates will have a min of 4 yrs' ppe and be capable of undertaking the broadest range of matters encompassing complex credit derivatives and structured trades and re-packagings. It is also envisaged that the successful individual will manage more junior assistants. This is a unique opportunity to take up this first time appointment and build an expert team within a dynamic and supportive institution.

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ALLEN & OVERY

Frankfurt

0 5 YEARS' PQE FINANCE LAWYERS

Allen & Overy continues to widen the gap between itself and its competitors. Our role as a global player is more prominent than ever. We have achieved critical mass in all of the world's key financial centres.

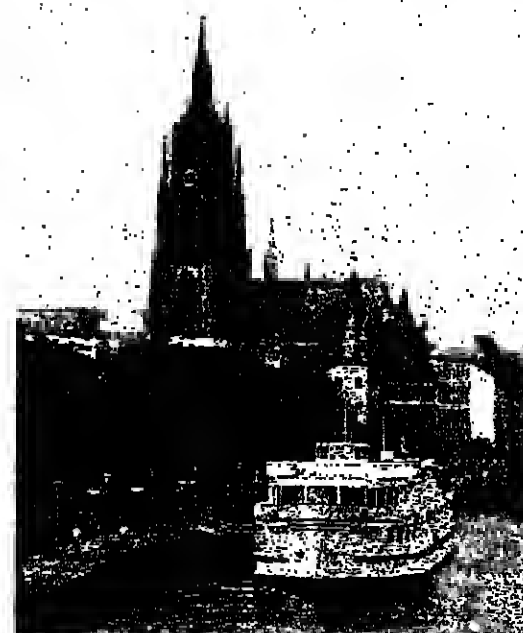
The Frankfurt office plays a key role in our strategic global expansion providing advice to corporations and financial institutions on all aspects of German, English and EC Law. Its broad finance practice in particular is set for continued growth.

As part of this expansion we now seek finance lawyers with up to 5 years' post qualification experience to assist in:

a broad range of capital markets and securitisation transactions; or
c general banking, asset finance and project finance related work.

You will need to be UK qualified and fluent in both oral and written German. Ideally you will have relevant finance experience gained from a top city practice. Alternatively, you will be working as a finance lawyer in Germany. You may join our Frankfurt office directly or spend a period in our London office before moving to Frankfurt.

As Germany continues to play an increasingly influential role in Europe, this is an opportunity to be in the right place at the right time and play a significant role on the global legal stage.



For further information, in complete confidence, please contact Greg Abrahamson or Simon Sharpe in London on 0171 405 6062 (0171 405 6063 evenings/weekends). Alternatively, contact Dr. Chabot Alia in Frankfurt on 069/97544-328, or write to them at QD Legal.

Email: abrahamg@qdggroup.co.uk / sharpegm@qdggroup.co.uk / chabot@qdggroup.co.uk

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Career-defining decisions should be made on the consideration of a variety of factors, not a single incentive. Unquestionably a successful global law firm, our Client is looking for partners who will become an integrated part of its business because they are inspired by its clientele and culture, rather than the cachet of a certain salary figure. Of course you will be paid what you are worth and the firm's top performers command seven figure incomes.

Established in London for over 20 years, the firm has close to 40 lawyers providing outstanding service and achieving ground-breaking results for existing clients across Europe. Over 70% of London's business is locally generated. The remainder emanates from the firm's prestigious and

internationally active US clientele. The London-based lawyers cover key corporate and finance practice areas and they have created a dynamic yet collegiate working environment where achievements are recognised and rewarded.

For partners specialising in the above areas, this is an opportunity to be part of a firm wholly committed to significant further growth in London and the consolidation of its position as one of the elite global players. Call Joe Macrae or Yvonne Smyth for an initial, completely confidential discussion on 0171-523 3838 (0171-359 5212 evenings/weekends) or write to them at ZMB, 37 Sun Street, London EC2M 2PL. Alternatively e-mail: joe.macrae@zarakgroup.com

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QD Special Project Lawyer is the short-term legal contract division of the QD Group specialising in the recruitment of short-term project lawyers both in private practice and commerce and industry.

Since QD Special Project Lawyer was established in 1994, we have found that the demand for lawyers on a short-term contract basis has increased dramatically. As a result we are expanding our business in the regions particularly the Birmingham and Bristol areas.

If you are available at short notice and interested in finding out more about working on a contract basis then send your details to QD Special Project Lawyer. We will be in Bristol and Birmingham on the following dates:

BRISTOL

Wednesday, April 28th 1999

Thursday, April 29th 1999

BIRMINGHAM

Tuesday, May 18th 1999

Wednesday May 19th 1999

For further information, in complete confidence, please contact Carl Freeman or Emma Anderson on 0171 405 8082 (0171 387 3856 or 0181 870 3224 evening) or write to us at QD Special Project Lawyer.

email: freemanc@qdggroup.co.uk
anderson@qdggroup.co.uk

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- has your firm a friendly, progressive and team-oriented culture? our client has
- interested? our client is



To find out more, contact Jane Glassberg at
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Tel: 0171-242 0303, fax 0171-242 7111

Legal Counsel



British Sky Broadcasting (BSkyB) has successfully established satellite television as an integral part of British broadcasting culture and is a growing force in the UK economy. BSkyB is now a leading FTSE 100 company and plays a key role in ensuring that Britain is the leading satellite broadcasting centre in Europe. The legal aspects of this fast moving, technology and service-driven business demand legal advisers of the highest calibre. As a result of sustained and continued growth, the Legal and Business Affairs team requires an additional lawyer capable of undertaking a broad based commercial media role advising senior management.

West London

£ Excellent

The successful candidate will ideally have the following profile:

- Between 2-4 years' PQE.
- Broad commercial experience with the adaptability and flexibility to handle a diverse media focussed workload.
- Background media experience and knowledge of the relevant regulatory and competition regimes and of marketing issues advantageous.
- Sound commercial judgment and the ability to work accurately to tight deadlines.
- Excellent inter-personal and communication skills, particularly the ability to deal with senior management on a regular basis.

♦ The drive and determination to thrive in this world class media organisation.

This position offers an excellent remuneration package, career prospects and the opportunity to play an integral role in the future of this market leading media organisation.

For further information in complete confidence call Guy Moran on 0171 269 2231, or write to him enclosing your CV at Michael Page Legal, Page House, 39-41 Parker Street, London WC2B 5LN, or fax 0171 405 2936, quoting reference 503308. e-mail: guy.moran@michaelpage.com

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IN-HOUSE

Snr commercial lawyer SE

High profile int'l fmcg co requires snr or barr with prior in-house exp to join existing legal dept. Must be able to handle large scale acquisitions, divestitures and outsourcing agreements, and oversee the execution of large commercial deals, including their tax implications. Must also be able to interact directly with Board members on matters of commercial and IP strategy, antitrust and competition policy. Excellent salary & remuneration package will be offered to reflect the importance the co attaches to this appointment.

Hi-tech contracts Hants

International manufacturing company with a variety of hi-tech interests seeks to recruit an additional lawyer with relevant in-house contracts experience to work on commercial and contractual matters for two of the Group's businesses. You should be familiar with software and hardware agreements, licensing and maintenance contracts, Y2K and Euro compliance matters and Internet trading. The successful candidate will act as contracts manager, playing an active and creative role in the development and growth of the businesses.

Contact: Sonya Rayner or Morwenna Lewis
e-mail: industry@chambersrecruitment.co.uk

LONDON / OVERSEAS

EU prof support City

Leading City firm seeks solicitor from either private practice or in house for PSL role for EU/Competition department. You would have the back-up of cutting-edge technology and a team of information officers. Competitive salary.

Co/com partner West End

Thriving practice seeks senior company/commercial solicitor to step into the shoes of the head of department in due course. Terrific team acting mainly for family businesses and with a particular niche in sports sector.

Banking litigation City

Major firm, with one of the largest banking practices, seeks two solrs at 3-5 yrs' pge & at NQ level to act for clearing banks and finance houses. Highly regarded dept. Inundated with work. Salary to £65,000.

Prof support lawyers City

We have many posn positions for corporate, banking, EU, property and litigation solicitors seeking full-time positions. These solt lawyers who enjoy working for major firms, are seeking good salaries, but do not wish to work long hours or weekends.

David Woolfson, Paul Thomas, Emma Ridley
e-mail: london@chambersrecruitment.co.uk

Self exposure

Whatever answer you give in an interview can be taken two ways – as it's meant to be taken or as its opposite. It can be heard as you intend it – as a comment on the matter you're talking about – or it can be interpreted as a revelation not about your subject matter but about you yourself.

We saw an example of this recently. The candidate was asked why he wanted to move, and explained that his boss was unfortunately not a lawyer and found it difficult to understand legal concepts. His role as legal adviser, therefore, was undervalued. The candidate assumed that the interviewer, being a lawyer himself, would sympathise with his predicament. He miscalculated. The message rebounded against him. The interviewer suspected that if the boss couldn't understand what the legal adviser was telling him, he may not have been getting clear and coherent advice. The fault, admitted the interviewer, was probably the lawyer's.

Whatever you say – and there are no exceptions – you're telling the interviewer about yourself.

Michael Chambers

CHAMBERS

PROFESSIONAL RECRUITMENT

Chambers Professional Recruitment, Saville House, 23 Long Lane, London EC1A 9HL Tel: 0171 606 8844 Fax: 0171 600 1793

Capital Prospects

PRIVATE PRACTICE

Banking Litigation to £35K
City: Opportunity within leading practice for newly qualified solicitor with banking litigation experience seeking to specialise in this area. City background and good academics sought.

IT/Telecoms to £2Partner
City: Expanding firm with national presence seeks potential partner with solid IT/telecoms experience coming from a good City or equivalent IT background to join team with enviable reputation.

US Securities to £25K
City/Hong Kong: Opportunity within premier firm for lawyer with experience in handling US securities work. Candidates HQ-5PQE will have the chance of working in either London or in Hong Kong.

Structured Finance to £70K
City: Major firm seeks a number of candidates: 1-6PQE to join multi-disciplinary finance team which is highly regarded in the areas of: securitisation and developing innovative loan products/derivatives.

Construction/Eng to £50K
City: Int'l firm seeks construction and engineering lawyers 3-4PQE for small, extremely busy team to handle non-contentious work. Those with hands on or industry backgrounds will be of interest.

IP to £2Partner
City: Large firm urgently seeks self-starter 4PQE+ with hard IP experience in a dept handling high profile international/national work including patents, trademarks, copyright and licensing. Partnership prospects.

PRIVATE PRACTICE

Property to £60K
City: Top firm seeks lawyers for an eminent commercial property group. Candidates HQ-4PQE with City training/excellent experience are sought and will be rewarded by high quality caseload.

Employment to £20K
City: High E-Comm firm seeks its first non-specialist to handle employment instructions emanating from blue chip hi-tech sector clients. Candidate of balanced partner level with or without following sought.

Property Finance ££Excellent
London: London office of premier US property finance/securitisation firm seeks City trained property finance lawyer 3-6PQE. Great opportunity for quality workload with an international focus.

M & A to £24K
Reading: Firm with City style approach seeks corporate/capital venture lawyers 2-3PQE to handle quality work for blue chip clientele including mergers and acquisitions. Fast moving environment.

Corporate to £25K
City: London office of large overseas firm seeks English qualified solicitor 2-4PQE from top City firm to handle international corporate work to include joint ventures and acquisitions.

Banking to £20K
City: Leading firm with international clientbase and reputation for first class instructions, seeks outstanding banking lawyer c. 3PQE. Experience of an international law firm an advantage.

IN-HOUSE

JV's ££Excellent+bonus
City: Global finance co seeks corporate lawyer 6PQE+ for senior autonomous role. Strong JV experience in finance and credit card arena. Languages useful for this truly international role.

Banking to £50K+bonus
City: Great opportunity for 3-5PQE corporate lawyer to work for major retail bank providing corporate/commercial support to group management, central functions and businesses.

Compliance to £40K+bonus
H. Countess: Major financial services co seeks lawyer to ensure compliance with regulators through out the group. Regulators include FSA/European banks, monetary authorities. Languages useful.

European Counsel ££Excellent
H. Countess: Major hi-tech/IT multinational seeks senior legal counsel solely responsible for European operations. Internet issues and solid contract/IP/European legal knowledge a pre-requisite.

Consumer Credit to £25K
London: Solicitor 2PQE+ with retail banking experience from either in-house or as PF sought to advise on consumer credit, advertising and commercial work within small high profile legal dept.

Equities ££Excellent
City: City trained lawyer 2-6PQE with top equities experience sought to join compliance team of leading international bank to provide compliance advice and regulatory guidance to equities team.



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For more information about these positions, or a discussion about the legal market, call one of our consultants

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Rosie Webb
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Fax: 0171 600 1972

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Commercial/I.P. Lawyers Bedford & Merseyside

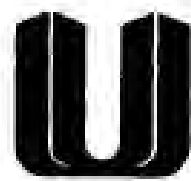
Unilever is one of the world's largest and most successful international businesses. With more than five hundred operating companies across the globe, it aims to meet the everyday needs of people everywhere with a diverse range of consumer products. Operating in highly competitive markets, the constant innovation of new products and processes is vital to Unilever's success and this is reflected in annual expenditure on research & development in excess of £550 million.

In order to support Unilever's continued growth, two opportunities have now been created for experienced commercial / intellectual property lawyers to be based at Unilever's main UK research centres in Sharnbrook, Bedford and The Wirral, Merseyside.

The roles will involve negotiating, drafting and advising on a wide range of agreements. These will include: consultancy, technology transfer, joint research, consortium, collaboration, sponsored/contract research and confidentiality agreements.

Candidates must have a pragmatic, solutions orientated approach and will possess a level of experience that will allow them to operate autonomously. The ability to communicate clearly with technical and commercial colleagues is essential and a background in chemistry or Biosciences would be a distinct advantage. Applications are welcomed from those without a formal legal qualification who possess the required experience.

The successful candidates can look forward to excellent long term prospects in an environment where intellectual property enjoys a high profile. An attractive salary package including a fully expensed and generous benefits package is on offer. The role will involve some travel.



For further details contact Struan Hall or Helen McAtamney at Graham Gill & Young, 46 Kingsway, London WC2B 6EN. Tel: 0171 430 1711. E-mail: ggv@netcomuk.co.uk Fax: 0171 831 4186. This assignment is being handled on an exclusive basis by Graham Gill & Young.



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Why not embrace our vision and share our goals?

enjoy it

For further information, in complete confidence, please contact Sianus Hour or Gavin Sharpe on 0171 405 6082 (0171 794 6168 evenings/weekends), or write to them at OD Legal.

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- excited by the opportunity to be part of the development of an expanding practice area, and
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In return, we offer challenging work, an excellent working environment and genuine opportunities for career advancement in a legal firm which is going from strength to even greater strength.


If you are interested, please send a CV and a covering letter to Mair Jones, Head of HR at Addleshaw Booth & Co, 60 Cannon Street, London EC4A 3DF or if you require more detail, please call our partner, Simon Twigden, for a confidential discussion on 0171 982 5000.

REINSURANCE AND GENERAL COMMERCIAL LITIGATORS

LONDON

THE KEY ISSUES FOR CLIFFORD CHANCE

WHAT'S THE POINT OF HAVING A GOOD IDEA, IF NOBODY'S PREPARED TO LISTEN?



TAX LAWYER - LONDON

It's not so much an open policy at Clifford Chance as a desire to share thinking and exchange ideas at every corner. So much so that Tax Specialists at Clifford Chance get together on a regular basis to debate and brainstorm the best ways of tackling the issues facing big business. By bringing together people with complementary expertise and from different corners of the globe, we can - and do - find the best solutions for our clients.

With serious ambitions for our practice, we need more top-quality people. Whether you decide to move 'out of house', come to us from the bar or you're currently in another firm doesn't matter. We want individuals who will positively thrive on the intellectual and commercial challenges faced by our tax practice.

If you like intellectual challenge, week-by-week variety and international exposure, this is definitely for you.

This could be a defining moment in your career. Please send a full cv to Rosie Lynn-Jones, Personnel Manager, Clifford Chance, 200 Aldersgate Street, London EC1A 4JJ. Fax: 0171 252 6596.

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Ref: 4592 James Newman

General Comm Lit 2-4 yrs' pqe
Academically well-qualified commercial litigator needed for top litigation practice. Experience of media, intellectual property and partnership law helpful.
Ref: 30300 Tim Greenland

Employment 2-4 yrs' pqe
Forward-thinking lawyers needed to join one of the largest specialist pure employment teams in the City. Mix of contentious & non-contentious work.
Ref: 41544e Claire Weston

INDUSTRY

IT Lawyer 1-3 yrs' pqe
IT lawyer required (or more senior indiv. considered for p/t role) to join a leading software solutions comp. Inv. drafting & neg. contracts with mainly US comp.
Ref: 41639 Tim Greenland

Corporate Finance 2-4 yrs' pqe
Exciting opportunity to join the Paris HQ of a well-known organisation. High-level corporate finance and negotiation work. Fluent French required.
Ref: 25174 Claire Weston

Emp-The Netherlands 3 yrs'+pqe
Leading global co. requires lawyer with Dutch employment law exp. Working with the management team, there will be some general commercial work too.
Ref: 41482 Jessica Jay

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Division of blue chip co. seeks lawyer to work closely with commercial managers. Role involves drafting, negotiating & advising on a wide range of complex contractual issues.

PROJECTS - Spanish Speaker 2-5yrs
London - Great opportunity with leading finance house for a UK qualified lawyer with projects/international transactions experience and Spanish language skills to deal with South American transactions.

SOUTH COAST to c.£40k
Division of FTSE 100 co seeks an adaptable, commercial lawyer to join small team handling diverse range of contract, finance, employment and dispute related work. Personality is key and our client is flexible on pay level.

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LONDON-PRACTICE

New Jobs This Week

TRADEMARKS 1-5yrs
Arguably one of the leading trademarks practices in the City, this team offers a fabulous opportunity for a solicitor or qualified trademark agent to undertake a diverse workload on behalf of an enviable client base. Personality is as important as academics.

LITIGATION KNOW-HOW Senior
Brand new vacancy at popular medium-sized firm to set up know-how function in busy litigation department. This is a new role which ideally demands some experience of professional support work, together with at least 3 years practising as a commercial litigator in a major City firm.

COMMERCIAL LITIGATION NQ-18mths
Our client, a popular 40 partner firm, rarely recruits at this level but now has a fabulous opportunity for a junior litigator to undertake work of a quality normally found in a Top 10 City firm. Strong academics are important, together with good quality commercial experience.

COMPANY 30 Partner Firm
This firm, with a busy 6 partner Corporate team, offers a real alternative culture to a larger City practice. Based in Clerkenwell, it attracts lawyers from major City firms keen to undertake good work but in a more relaxed atmosphere.

EU/COMPETITION KNOW-HOW 3-4 yrs
New role in major City firm, working as an Information Officer, together with a more senior lawyer, providing information support to EU/Competition group. You should be a solicitor/advocate with at least 3 yrs pure EU experience and an excellent academic background.

PRIVATE CLIENT NQ-2yrs & 3-5yrs
This medium sized City firm has an excellent reputation in this field. You will work with leading lawyers in a supportive, open and democratic working environment, handling a range of wills & probate, tax and trusts work.

ENVIRONMENTAL LITIGATION 2-5yrs
An exciting opportunity at this premier City firm for a high calibre environmental litigator. Culturally simply, this firm is the best in this field and has advised on some of the most high profile matters. Top salary.

IP/MEDIA 2-4yrs
Join one of the highest profile IP teams in the country and undertake a broad range of work for household name clients. You will be involved in a mix of non-contentious work, licensing, possibly IT agreements and some litigation assistance. Excellent prospects.

COMMERCIAL/IP 1-3yrs
If you have sound training and have gained good post-qualification experience in these areas, this firm of unrivalled reputation could be your ideal move. You will handle a broad cross-section of general commercial and IP matters and act for a blue chip client base.

COMMERCIAL PROPERTY 1-4yrs
Small, lively department in progressive London firm seeks a junior property lawyer, keen to enjoy plenty of client contact and play an important role in this team. Experience in a major London/regional firm essential.

INSOLVENCY NQ-3yrs
Make your mark in the insolvency team of this major City firm, which offers excellent training and a mix of contentious & non-contentious work. Strong academics and some experience of insolvency is essential.

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Attractive package

Centre D'Immunologie
Pierre Fabre (CIPF)

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Genevois, France

Patent Lawyer

Exciting opportunity to join this fast-growing Biotech centre close to Geneva, active in the area of immunology related to cancer and infectious diseases. The division has 120 staff of 14 different nationalities and an average age of 33. A first-class patent lawyer is now sought to make a major contribution to the organisation's future commercial development.

THE ROLE

- Reporting to the Managing Director, manage the existing and future CIPF patent biotech portfolio, from identifying every new opportunity, to writing and following up on each patent's life and future protection.
- Develop close relationships with the R&D and legal departments whilst maintaining links with external partners.
- Full budget responsibility including survey investigation and the analysis and evaluation of competitors.

THE QUALIFICATIONS

- Graduate lawyer or patent attorney, with significant experience of biotech patent registration gained either in industry or private practice.
- Natural team player with strong communication skills, instinctively international and committed to the maintenance of the highest professional and quality standards.
- Good understanding of biotechnology research together with good problem solving skills. High energy and a self-starter. French language useful, but not essential.

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If you have a minimum of 3 years post-graduate then this is an excellent opportunity to join a leading 18 global practice. You will focus on advising companies within the information industries sector as well as providing general company / commercial support to both IS clients and the corporate group within the firm. There will also be an element of contract work. BJ

city min £50,000

Have opportunity for a competition lawyer with minimum 3 years post-graduate to broaden his / her caseload by joining the expanding ISU and commercial law group of 3 partners and 6 assistants in this excellent 50 partner EC1 firm with a first rank corporate department whose culture favours broad lawyers. One partner specialises in inter alia in competition work and needs an assistant to cope with an increasing level of instructions. AHB

city to c £50,000

Medium sized City firm (58 partners) which has a substantial UK and international practice is seeking to appoint a lawyer with 1-3 years post-graduate. The department undertakes M&A, MFR, joint ventures, privatisations and PFI projects. Clients include household names, financial institutions, governments, professional partnerships and charities. BJ

city c £50,000

Internationally recognised as a full service City firm with a premier division department specialising in private client trust and tax law, our client has an immediate need for two private client lawyers. Identified around three years post-graduate on a broad range of high calibre work with an emphasis on off-shore tax and state of the art trust documentation. Supportive, open and democratic working environment. SW

city c £55,000

Around 4 years top quality experience is a must for this challenging position in a highly regarded medium sized City firm. The property litigation group has extensive experience in all aspects of this field, including property management, and has a clear need for an additional solicitor to join this partner led team. The workload consists of general landlord and tenant problems, reversals under the 1954 Act and lease disputes. SW

city to partner

This is an opportunity at a national firm which has a wide range of national and international clients. You should have several years experience in direct tax work. Barristers and accountants with relevant experience will also be considered. You should be a team player as well as being a good marketer. An excellent opportunity. BJ

holborn partnership

This young, friendly and successful 9 partner Lincoln's Inn firm which has doubled its turnover in the last five years is forming away company commercial work worth over £100,000 annually because the existing partner is working flat out. With succession in mind they wish to appoint an outgoing head of department with experience of the needs of small and medium sized companies and with some following as evidence of business development skills. AHB

city to £70,000

This top City firm is continuing to strengthen its first class network of departmental know-law lawyers. A state of the art internet has been installed. Vacancies still exist for those with at least two years law earning experience (preferably more) in the fields of commercial property, employee share plans and EU/competition. Flexible hours/part-time negotiable. AHB

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Asset Financing (ref: 1499-AF)

Based in our IFSC offices, you'll be working as part of a dedicated and growing asset financing team. While specific experience in asset financing or banking law would be an advantage, we will consider applications from recently qualified lawyers interested in making a career in this area.

General Corporate Law (ref: 1499-GC)

You'll be working as a member of one of our commercial law teams, dealing with the full range of commercial law issues and benefiting from opportunities to learn from senior members of the team. Ideally with two or three years' post-qualification experience, you will have a thorough grasp of the basics of corporate and commercial law gained in a relevant environment.

The closing date for applications is Tuesday 4th May

For further information on working in A & L Goodbody, please visit our website at www.algoodbody.ie.

LAW

هكذا من الأصل



Smoked out: two firms have withdrawn from pursuing tobacco cases under the "no win" system, where the claimants had no insurance cover

Deal that could spell the end of legal aid

Legal aid has for more than 20 years ensured access to justice for those who cannot afford to use the courts. Now it is about to be abolished — at least for accident compensation claims which make up most of civil case numbers.

The Government intends that access to justice will be maintained through "no win, no fee" deals in which lawyers take on cases for nothing and can charge an enhanced fee — a "success fee" — if they win.

But as the Access to Justice Bill starts going through the Commons, evidence is emerging to suggest that these plans will drive out any case that is not a sure winner, leaving consumers with no effective access to the legal system.

"No win no fee" deals, or conditional fee arrangements, came in four years ago. They depend crucially on insurance which covers the costs, so that the litigant is not left paying the legal fees of the other side should he or she lose.

In 1995 the Law Society negotiated a scheme, Accident Line Project (ALP), with Abbey Life, which provides such cover. It can only be used by law firms who are members of the Law Society's Personal Injury Panel (ie, recognised as experts in this field of law). But if the firm joins the scheme, then it must use Accident Line in "no win, no fee" deals. In other words, there is no choice about whether or not to issue a policy to the client, let alone which insurer to use.

How does it work? The Accident Line scheme provides cover of a £100,000, which is adequate for most cases and its price for each case, either £95.68 or £161.20 (depending on the type of case), is good value bearing in mind the risks and costs of litigation.

But, while law firms can spread their risks by ensuring "success fees" that reflect the risk on each case, insurers are stuck with a fixed premium and evidence suggests that they cannot make it pay.

In January ALP sought to suspend from membership a number of firms on the grounds of their claims record. Ours was one, despite a success rate close to 95 per cent. Further, in the three cases where claims on the policy were made, our costs were comparatively small (less than £10,000 in total).

Ultimately we were able to convince the insurance company to continue operating the scheme. But the episode has clearly been a warning shot across our bows in terms of making future claims.

Accident Line Project is a commercial enterprise and must expect to make a profit. Part of that process obviously involves ensuring that those law firms it deals with work effectively and efficiently with as few claims as possible. But the news that a success rate in excess of 95 per cent can be required may shock many lawyers. More importantly, where does it leave the public? What it means is that when legal aid goes, people cannot expect help with legal claims that have a less than 95 per cent chance of success. We do not believe the Government envisaged this — indeed the Lord Chancellor first spoke of legal aid being withheld where people had less than a 75 per cent chance of success. But he had to withdraw that because it would have denied access to justice to a large body of potential litigants.

Lawyers act for those who have suffered injury, often severe and disabling injury, which prevents them from working, causes them enormous stress and financial difficulty. Many such cases are pursued by lawyers — even though the chances of success and being paid are much less than this 95 per cent figure.

But lawyers will not risk being thrown off the Accident Line scheme. So they face a dilemma: do they stump up the losing side's costs themselves? Or not take the case on in the first place? Financial realities will mean such cases become unacceptable risks and will not be pursued.

Either personal injury lawyers must be allowed to use other insurers or the Government must agree to retain legal aid for riskier cases — which seems unlikely.

Last month our firm and another, Irwin Mitchell, withdrew from pursuing the tobacco cases under the "no win" system, where the claimants had no insurance cover. As far as we are aware this has been the only group case where the lawyers have been prepared to take on the full costs risk of the case. We estimated that the tobacco case had cost our firm around £2.5 million in lost profit costs. In light of this and recent defeats suffered by other firms, we cannot see being ready to bear a significant risk in a group claim.

There is a further problem. Under the reformed legal aid arrangements now in force, lawyers must carry a significant share of the risk in the pursuit of group actions. This is not unreasonable provided that the balance is fair. But recent court rulings indicate an increasingly hostile attitude to complex group claimants over claims beyond work-related illnesses. Again, lawyers are likely to refuse such cases or get their fingers burnt — with the gradual drying-up of the pool of those prepared to share risks in legal aid cases.

Should we stop pursuing environmental or product liability cases in the face of this attitude from the courts? In our view that would be a fundamental blow against our ideals of democracy and justice.

The exchange of conditional fees for legal aid in personal injury claims is clearly seen as a central plank of the Lord Chancellor's Brave New World. But here at the coalface, what seemed a cracking idea in theory has in practice become a scheme where enormous cracks have started to appear.

Lord Irvine of Lairg's faith in the insurance market will, we fear, mean that the scope of access to justice for claimants will be determined by financial interests of insurers. Not much "brave" in that.

The authors are solicitors with Leigh Day & Co.

Plans for a 'no win, no fee' deal for accident compensation claims will deny people access to the legal system, say Martyn Day and Frank Patterson

price for each case, either £95.68 or £161.20 (depending on the type of case), is good value bearing in mind the risks and costs of litigation.

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Exposing the flaws in Britain's libel laws

Britain's libel laws may soon be tested — and found wanting — in the European Court of Human Rights. This challenge is expected to be brought after the Court of Appeal's recent decision to uphold many of the libel allegations in an action brought by the fast-food chain McDonald's against two environmental campaigners, Dave Morris and Helen Steel.

Their recent appeal resulted from a 314-day libel trial in 1997 in which Mr Justice Bell held that McDonald's had been libelled in a leaflet containing criticisms about the company's business practices. The judge awarded £60,000 damages to McDonald's. The Court of Appeal allowed the appeal in part, and reduced the damages to £40,000.

The current state of the English law of defamation is impossible to reconcile with any developed concept of free speech. Defendants are liable even if they make statements that they reasonably believe to be true on matters of public interest; the plaintiff may receive substantial damages whether or not financial loss has been caused; and legal aid is unavailable.

London has long been the libel capital of the world. B-list celebrities, public figures with something discreditable to conceal, and companies over-sensitive to criticism issue writs asserting that they have been "lowered in the estimation of right-thinking people" by a newspaper article or other ephemeral publication which would long ago have been forgotten but for the plaintiff's insistence on telling the world of its contents. Our libel law assumes that life is lived in a gentleman's club in which damage to reputation is one of the most serious injuries that a person can suffer. In defamation law, the proper response to an insult is to challenge the culprit to fight a high-risk public duel that can be avoided only by a grovelling apology and a large tax-free sum of damages.

Article 10 of the European Convention on Human Rights guarantees the right to freedom of expression. Any interference must be necessary in a democratic society and proportionate. These criteria were stated by the European Court in *Lingens v Austria* in 1986 when it found that the rights of a journalist had been breached when an Austrian court fined him for publishing an article critical of the Chancellor, Bruno Kreisky. The European Court expressed its concern about state action which "would be likely to deter journalists from contributing to public discussion of issues affecting the life of the community", and so would impede public access to

information. English law recognises the power of a writ to silence critics on matters of public importance and acknowledges that influential plaintiffs have other means to make their voice heard. For those reasons, in 1993 the House of Lords held that a local authority could not sue Times Newspapers for libel.

Lord Keith of Kinkel explained that the difficulty of proving allegations by admissible evidence "may prevent the publication of matters which it is very desirable to make public" in relation to a governmental body which "should be open to uninhibited public criticism", and which has other means of defending its reputation. The same principle was applied in 1997 to prevent the Referendum Party from suing a newspaper for libel.

The McDonald's case concerned matters of public importance relating to the activities of a multinational company. Some of the allegations made by the campaigners were found by Mr Justice Bell to be true; that the company paid low wages to its workers in this country, was cruel in the rearing of some of its animals, and exploited children in the targeting of its advertising. The Court of Appeal accepted that it was fair comment to say that McDonald's employees worldwide do badly in terms of pay and conditions, and there was justification for the allegation that too much McDonald's food provides the consumer with a high-fat diet creating a real risk of heart disease.

If Mr Steel and Mr Morris pursue their case in Strasbourg, the European Court is likely to conclude that English law fails adequately to control libel actions by companies.

Our law deters those who may have something of value to add to the public debate on the standards adopted by companies such as McDonald's. That is especially so where there is a lack of equality of arms, with the plaintiff able to employ lawyers of its choice and the defendants unable to claim legal aid, however strong their case on the merits and however impecunious they may be. It is disproportionate to require such defendants to prove the truth of allegations made in good faith in matters of public interest against an organisation with ample resources to answer criticisms and protect its reputation.

The McLibel case has achieved what many lawyers thought impossible: to lower further the reputation of our law of defamation in the minds of all right-thinking people.

The author is a practising barrister and a Fellow of All Souls College, Oxford.



David Pannick QC

Patent Counsel - Europe, Africa and Middle East

In-House Surrey

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Further details of the post and the College may be obtained from Joanne Nichols, Head of Human Resources, The College of Law, Brabourne Manor, St Catherine's, Guildford GU3 1HA, tel: 01483 460222 or e-mail: joanne.nichols@lawcol.co.uk

Potential candidates may contact the Chief Executive, Nigel Savage, for an informal discussion on: tel: 01483 460288 or e-mail: nigel.savage@lawcol.co.uk

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SHIPPING TO £60,000
This major national practice has an increasing strength in shipping as a result of inspired recruitment, and continues to win instructions. Accordingly, an assistant with 1-5 years' experience in mainstream shipping is required to handle the additional work which the team is bringing in, completing a mix of both wet and dry matters. A great opportunity to be part of a highly successful firm and to play a proactive part in the further development of the department. Ref: 26254

CORPORATE TO £55,000
This major City firm, with strong international links, enjoys a broad based corporate practice and has an immediate need for further assistance in its corporate law department. If you have up to 4 years' general experience in corporate/commercial work and sound academic credentials, then this could be the right move. Excellent training and support are on offer as well as a highly competitive salary and benefits package. Ref: 26229

LITIGATION TO £50,000
This medium sized City firm with a deservedly good reputation for its friendliness and open environment is seeking a junior lawyer with contentious experience. If you are a commercial lawyer with 2-4 years' experience and also have some experience of insurance related work (litigation and professional indemnity) this could be the ideal job for you. Ref: 18498

CORPORATE TAX TO £47,000
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Due to continuing expansion, the banking department of this prestigious City practice is seeking exceptional banking lawyers with 3-5 years' experience. The firm provides an interesting mix of work of the highest quality. This is an excellent opportunity to join a successful team, which offers you full support and encouragement, in which you will have the chance to make an immediate impact. Superb career opportunities and financial package. Ref: 25940

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This highly regarded City firm is looking to expand its employment and pensions unit. The successful applicant will do pure employment law with a 50/50 split between contentious and non-contentious work. There are predominantly employers and many are financial institutions. A great opportunity for a junior lawyer with between 2 and 4 years' experience to work alongside a partner in this open and supportive team. Ref: 26411

COMMERCIAL PROPERTY TO £55,000
Top-flight City firm seeks additional lawyer with between 2 and 4 years' relevant experience to handle quality work load - not merely 'routine support'. The department handles a range of development, acquisition and disposals and property finance work for blue chip clients and leading financial institutions. Excellent opportunity for a bright and ambitious lawyer wishing to 'upgrade' to a firm with a well earned reputation for excellence. Ref: 16777

IP/IT TO £50,000
A market leader in its core specialisation, this commercial practice is looking to recruit a junior IP/IT lawyer. You will possess a first class academic record and have between 1 and 3 years' quality experience of IP/IT law with a major City or regional firm. You will enjoy considerable responsibility and so should the ongoing and excellent financial rewards will be commensurate with experience. Ref: 25194

COM/IT TO £40,000
The highly regarded commercial department of this City firm is looking to recruit a lawyer with up to 2 years' experience of commercial/IP law. Reporting directly to a partner you can be assured of top quality work and a supportive and encouraging environment within which to develop your professional skills. A great opportunity for someone seeking more hands-on experience as there will be plenty of client exposure and opportunities to help build the practice. Ref: 26419

For further information on private practice vacancies please contact Debbie Codrane or Gemma Blair (both qualified lawyers) on 0171 523 1240 (0181) 374 8485 evenings/weekends, fax 0171 523 3839. E-mail: debbie.codrane@hwgroup.com Alternatively please write to them at ZMB, 37 Sun Street, London EC2M 2PL.

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In the first instance, please contact, Sarah McGinty or David Bennett on 0121 633 0010 (evenings/weekends 07970 430398). Alternatively, please send your full CV, including details of your current remuneration, to HW Daniels Bates, Grosvenor House, 14 Bennett's Hill, Birmingham B2 5RS. Fax: 0121 643 6931. E-mail: sarah.mcginity@hwgroup.com Internet: www.hwgroup.com

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Going a fumble too far

The law's professional conduct rules exist to protect clients from improper sexual advances, but it is in danger of being abused, says Patrick Stevens

Spring is in the air and the thoughts of the Legal Services Ombudsman have turned to sex. Or, to be more particular, to regulating it. Sex is not something that is usually associated with lawyers. To achieve that grey uniformity they are popularly believed to be, the present Ombudsman is Ann Abraham. She was appointed by the Lord Chancellor to oversee the handling of complaints about solicitors, barristers and licensed conveyancers by their respective professional bodies — in the case of the solicitors, the Office for the Supervision of Solicitors (OSS).

In a recent Ombudsman's Casebook in *The Law Society's Gazette*, she takes the OSS to task — not just for dilatoriness (it is struggling with a huge backlog of complaints against solicitors) — but for not paying sufficient attention to clients' hurt feelings. The latest Casebook takes matters even further with the sexual allegations of Ms A. Solicitors are not subject to the same rules as doctors concerning sexual relationships with their clients. This is for the simple reason that solicitors do not usually ask their clients to take their clothes off.

The current *Guide to the Professional Conduct of Solicitors* says that a solicitor should "consider" whether a sexual relationship with a client might place the solicitor's interests in conflict with the client, or otherwise impair the solicitor's ability to act in the best interests of the client.

In the case of Ms A, the complaint was by the residuary beneficiary of a will that the solicitor executor had "made improper suggestions and sexual advances towards her".

The complaint had been rejected by the OSS on the grounds that there had been no breach of the rules of professional conduct because Ms A was not the solicitor's client and there had been no sexual relationship. Normally that would have been the end of the matter.

Ms Abraham took a different view. She decided that the relevant principle was the rule which requires that solicitors should not use their position to take advantage of another person. "In this instance the suggestion was that an older, better educated, more powerful man had put a vulnerable, younger

woman in an unwelcome situation." This indeed is a suggestion that could often be made.

The Ombudsman went on to say: "This is the sort of complaint that the OSS has to adjudicate on if the profession is to be competently regulated." Such an approach opens the way to every recipient of a solicitor's sexual advance being able to make a professional complaint. The capacity for mischief-making by former partners is infinite.

No one supports the serial lechers of our profession but the Ombudsman may be going a fumble too far. If a woman feels that she has been assaulted by a solicitor, then she should complain to the police, as the victim of Angus Diggle did. If she is the victim of sexual harassment in the workplace then employment tribunals offer remedies. Stalking is now illegal. But if a gay solicitor makes an advance to me which I find embarrassing, should I really be entitled to have him professionally disciplined?

Scottish lawyers considered these issues in a case which involved a solicitor fondling the buttocks of a young woman in a pub. The complaint was made not by the woman but by a fellow solicitor who witnessed the incident. The disciplinary tribunal rejected the complaint and, in a robust statement of principle, said that the regulation of personal behaviour, however disreputable it may appear, was not a matter for the Law Society unless it involved sexual advances to a client for perceived advantage.

Professional conduct rules exist to protect the public, not to regulate morality and sexual behaviour. The OSS has a backlog of 9,000 complaints and the figure is increasing by 95 complaints a week without the additional burden of dealing with every aggrieved former lover. The Ombudsman should confine herself to monitoring existing complaints and not to encouraging new ones.

● The writer is a solicitor in private practice and the author of *Keeping Clients — A Client Care Guide for Solicitors*. The views expressed in this article are personal.

The capacity for mischief-making is infinite



Angus Diggle's victim complained to the police, alleging that she had been assaulted

How much is an injury worth?

The public feel current levels of damages are too low, says Andrew Burrows

A person is rendered paraplegic in a car crash, or loses a hand in an accident at work. If someone else can be shown to be legally responsible for those injuries, the victim is entitled to damages.

The purpose of the damages is to compensate the victim for his or her losses. Damages for financial losses, such as loss of earnings and medical expenses, can, in theory at least, be calculated with mathematical precision. But the courts also award damages for the victim's non-financial losses: for the pain and suffering and the loss of enjoyment of life. For these "losses" there is no demonstrably right answer to the question "How much should be awarded?" Under the present system this is a matter for the courts to decide.

The judges award what they consider to be fair and reasonable in line with past decisions. A flexible tariff of values has been developed. Until 1992 this scale of values could be gleaned only by trawling through the law reports and specialist books. But since then it has been set out in easily accessible form in *Guidelines for the Assessment of General Damages in Personal Injury*, published by the Judicial Studies Board.

The present scale runs from under £100 for minor cuts and bruises up to about £150,000 for the worst injuries. So, for example, the conventional range for quadriplegia is £120,000 to £150,000; for moderate brain damage it is £40,000 to £65,000; for the complete loss of sight in one eye it is £22,500 to £25,000; and for minor whiplash injuries it is up to £3,500. The range of award

for each injury gives the judges the flexibility to award a higher or lower sum depending on the circumstances of the victim.

The Law Commission has been reviewing how much the damages for non-financial loss should be and how they should be fixed. In our final report, published today, we recommend that the present system of assessment by judges should continue. It should not be replaced by a fixed tariff laid down by Parliament. Nor is there good reason to spend money in setting up and running a Compensation Advisory Board to assist the judiciary.

On the other hand we consider that for serious injuries, damages for non-financial loss are at present too low. We recommend that they should be increased by between 50 per cent and 100 per cent so that the top of the scale would be at least £225,000 but not more than £300,000. This would bring the scale into line with public opinion as to what is a fair level. This is shown not only by the responses to our consultation paper on this subject, but also by a survey by the Office for National Statistics (ONS).

The ONS interviewed 3,639 people. They were given four case histories and asked to say how much each injured person should be awarded for his or her non-financial loss. The results, presented in our report, suggest that the majority of the population consider current levels to be too low and should be raised by, at the very least, 50 per cent.

● Professor Andrew Burrows is a Law Commissioner for England and Wales.

There is no reason for an advisory board to be set up

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For more information in complete confidence please contact Helen Bryant or Jonathan Wainley (for private practice) Sara B Kher (for in-house) on 0171 417 1400 or write to them at their full qualified lawyers at the London office of GARFIELD ROBBINS, 5 WORMWOOD STREET, LONDON EC2M 1RQ. Call Evenings/Weekends 0181 870 5772 Confidential Fax 0171 417 1444. Email: helenb@garfieldrobbins.co.uk

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Informal enquiries may be addressed to Penny Tongue, Associate Dean Academic Quality (01707 286216). The Faculty web site is at www.herts.ac.uk/law/

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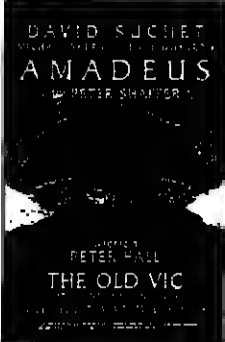



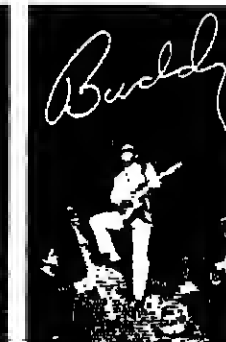
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An Inspector Calls, Garrick Theatre, WC2. Winner of 19 awards, the National Theatre production of J. B. Priestley's thriller stars William Gault. Offer valid Monday-Thursday evenings at 7.45pm until May 15. Tickets normally £29.50 each.

The Woman in Black, Fortune Theatre, WC2. Susan Hill's frightening ghost story, now in its tenth year. Offer valid Monday-Thursday evenings at 8pm from May 1-June 30. Tickets normally £23.50 each.

Buddy, Strand Theatre, WC2. Rock'n'roll musical of the Buddy Holly Story. Offer valid Tuesday-Thursday evenings at 8pm, Friday evenings at 8.30pm and Sunday matinees at 4pm until May 31. Tickets normally £27 each (Tues-Thurs and Sun mats) and £30 each Friday evenings.

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Reforms will offer short sharp shock

Henrietta Lake examines how the shake-up in court procedures will affect firms in legal disputes

One of the most fundamental changes to the legal system in the past 100 years is less than a week away. The "big bang" in the courts will take place next Monday when new rules governing the conduct of civil procedure come into force.

The rules have come out of the proposals in Lord Woolf's report on the legal system, known as *Access to Justice*, and will affect all small and medium-sized companies using the courts. The aim is to produce a legal process that is shorter, sharper and less costly to its participants.

Richard Brown, a partner in Thomas Eggar Church Adams, the law firm, explained: "Justice may be rougher, but it will certainly be quicker. The objective is to slim down procedures and give courts teeth to get rid of time-wasters."

Stephen Alambritis, of the Federation of Small Businesses (FSB), said: "We welcome these changes, which should demolish some of the mystery and legalese surrounding the courts. Small businesses are often caught in the trap of either not being able to afford to contest a dispute and at the same time not being eligible for legal aid. These moves to speed up the process should help."

The main proposals are two new tracks of litigation, a fast track for cases under £15,000 and a multi-track for complex cases over £15,000. Cases will be allocated to one of these tracks depending on their value and complexity. Cases under £5,000 will go to arbitration and be dealt with in a procedure similar to the old small claims court.

For a claim assigned to the fast track, trial should begin within 30 weeks from being issued. In order to cut costs and time, there will be only one expert witness rather than one

from each side, and some evidence may be submitted on paper rather than verbally. As well as submitting claims and defences, parties will also be obliged to complete an allocation questionnaire to demonstrate what is likely to be involved in proving their case.

The intention is that cases will proceed in a simpler and more predictable manner than before and that the investment of time and costs should be in proportion to the nature and value of the claim.

There will also be what is referred to as "front loading" of cases as clients and their lawyers will be expected to disclose and share information with the other parties before litigation begins. More preparatory work will have to be done earlier by both clients and lawyers. Parties will be encouraged to resolve their disputes without the need for trial.

One of the biggest changes will be that once proceedings begin, the courts — rather than the plaintiff — will proactively manage the cases, ensuring that they progress swiftly through to, and during, trial. Sanctions may be applied to parties who fail to comply with the court's timetable.

"It will no longer be an option for a company to say 'we'll slow down or speed up at our convenience'. It will be like a fast-moving conveyor belt, so that once proceedings have been issued, companies will no longer be able to set the pace," said Mr Brown.

A new procedure has been designed for the immediate summary disposal of weak cases or defences. The court can give judgment there and then without either party being present in order to speed through cases and cut the "chaff".

A new "offer to settle" procedure will provide financial incentives to both sides to

settle early. "The demands on litigants as well as their lawyers to meet timetables will be much greater, but with good planning and organisation the new procedures could achieve significant improvements on the present system," Mr Brown said.

Antony Gold, a litigation partner in Eversheds, the law firm, also believes that the changes will work to the advantage of small and medium-sized firms, which will benefit from "a level playing field and helping to arrest the old process where larger firms could stand firm and bully smaller firms into submission, stopping the companies with the deepest pockets winning".

However, some observers are concerned that the changes will herald a new era in which some of the finer points of a case are in danger of being lost and in which the exhaustive examination of issues will end. "It will not be the sort of all-embracing justice that people have been used to," said one.

"It will no longer be a case of hiding behind the ramparts, the classic response. As soon as a firm finds itself involved in a dispute, it needs to address the issue immediately and seriously, and then it can work the changes to its advantage. Any company that puts a legal dispute on the back burner will come a cropper."

Details of the reforms can be found on the Internet at the Lord Chancellor's Department website.

The FSB will be launching a video guide to the new tracks and procedures on May 4 entitled *See you in Court*.

Contact: FSB, 01253 336000.

LINKS
WEBSITE: www.opon.gov.uk/vtd



Ill-prepared cases are to be put to the sword and others will be weighed more quickly

IN BRIEF

Check out for the millennium bug

Auditors are warning small and medium-sized firms that they are not taking enough steps to show that their information technology systems are millennium-compliant and, in the worst cases, risk having their reports and accounts qualified as a result.

The problem stems from the fact that many smaller firms mistakenly believe that the issue of proving their IT systems are fit to cope with the millennium bug is the problem of large corporations only. This is not the case. In order for an auditor to pass the ac-

counts, a company, no matter what its size, needs to be able to demonstrate that its system will not grind to a halt at the new year.

To help smaller firms to combat the bug, Greenwich Mean Time, the software company, has produced a product called Check 2000, which can be downloaded on to a computer and will detect which programs are not millennium-compliant and offer a step-by-step guide on how to fix the problem.

For information, call 01329 825468 or www.gmt-2000.com.

A new website for small businesses has been launched by Tolson Messenger, the insurer. It aims to make the process of choosing and buying a suitable insurance policy faster and easier for firms without compromising on advice or service. www.tolsonmessenger.co.uk

One 2 One, the mobile telephone operator is abolishing peak rate calls for businesses. From April 29, customers using its Precept One plans will be charged 5p per minute for national and local calls whatever the time of day. Using similar packages, this compares with 28p for Vodafone, and 23.5p for Orange. For more information call 0500 500121.

A survey by Microsoft shows that small businesses are not embracing the Internet quite as the marketing men intended — to increase business and gain competitive advantage. Instead it is being used for the more mundane tasks of e-mailing (95 per cent), information searches (76 per cent), downloading files (60 per cent), reading business news (40 per cent) and transferring files (35 per cent).

Vera Awdry, marketing director of G.R. Lane Health Products, which makes licensed herbal medicines, says that the Restrictive Practices Court must protect the public and uphold resale price maintenance (RPM) on medicines. The firm, based in Gloucester, employs 100 and has a turnover of £15 million.

"RPM on medicines, which the supermarkets are campaigning to end, exists for a reason. It is there not just to protect community pharmacists but also the public."

"These products are drugs, and, as such, carry with them specific guidelines about suitability and recommended dosage."

"If we start to treat medicinal products in the same way as we would bars of chocolate — by dispensing with RPM and encouraging price competition — customers may make their selection based on price rather than medical necessity. RPM serves a purpose, and we believe that it plays a vital role



Awdry: "vital role"

in helping to prevent the misuse of medicinal products."

Any company wishing to express a view in Megaphone should contact In Business.

Chip designer aims to blend work with fun

The head of a £1.4bn company used to rely on leads gleaned in the pub, reports Matthew Barbour

At just 13, Robin Saxby had his best promotion in the form of his father. Returning home from the pub at night, he would tell his son of another friend who had a problem with his television set and hand him the address scrawled on a scrap of paper. Robin would soon cycle round, fix the set and return several shillings better off.

"One year I was even called out in pouring rain on Christmas Day, but, to me, fiddling with electronic gadgets was all I ever wanted to do," he says.

Mr Saxby, an entrant in the Entrepreneur of the Year competition, is now managing director and chairman of ARM Holdings, the fast-growing computer chip design group.

ARM, based in Cambridge, was set up in 1990 with £2.5 million and with Mr Saxby heading a 12-strong team of ARM research and development engineers. The company is now listed in the FTSE 250 and America's Nasdaq market, and has a market value of £4 billion. In eight years its workforce has expanded to 330 and it has year-on-year growth of 59 per cent.

The company's aim, Mr Saxby says, was not to make



Robin Saxby with products using chips designed by ARM

end-product semiconductor chips, but to license the rights to other producers, and become the global standard for digital chip technology.

Unlike other chip designers, Mr Saxby realised early on that the key to success would be to focus on miniaturisation and efficiency, rather than on high-performance chips. "The semiconductor industry is an

extremely volatile one, driven predominantly by capacity, leading to terribly violent cycles," he says. "I just knew that I didn't want to get involved in that side of the market."

Chips designed by ARM are now used in most digital mobile phones produced in the UK, as well as in electronic equipment in cars, such as the Advanced Braking System.



ENTREPRENEUR OF THE YEAR

Among the 130 companies that work with ARM and use its chip technology are Sony, Intel, Philips and Microsoft.

Mr Saxby says that a key factor in ARM's success is combining work with fun, and holding frequent social events. "We regularly crack open the champagne when we have a product launch or a key development and keep a bottle from each event as a memento," he says. ARM also holds social events for employees' families. "I wanted to create a feeling that we knew each other, and more importantly, that we trusted each other," Mr Saxby adds. "It's only by trusting each other that our business partners could trust us."

All staff are given share options, and ARM designers and engineers receive options and cash when projects on which they have worked reach fruition and are patented. "It's a very flat, open culture, with the people at the centre of everything," Mr Saxby says. "We feed off each other's enthusiasm."

Application forms for Entrepreneur of the Year are available on 0845 6041012. Entrepreneurs can nominate themselves or be nominated. Applications must be in by April 30.

LINKS
WEBSITE: www.arm.co.uk

IN BUSINESS IS EDITED BY HENRIETTA LAKE henrietta.lake@the-times.co.uk

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CHANGING TIMES



FLORA LONDON MARATHON



Rain dance: a runner in American Indian costume braves a shower during the race on Sunday. Photograph: Ray Little

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123; 9—Birmingham 834; 10—Nottingham 856; 11—Edinburgh 870;
—Bristol 991; 13—Cardiff 1006; 14—Sheffield 1346;
—Portsmouth 1421.



Campbell, left, celebrates his goal after 40 seconds in the 3-1 victory at St James' Park. Campbell also scored Everton's second. Photograph: Owen Humphreys

Campbell continues to call the shots on home soil

For footballers, the hazards of going abroad to ply their trade are well documented. They face the problem of a new language, which is tricky for those who have yet to master English completely. Then there is the difficulty about the food — wot, no fry-ups? Finally, they undergo the trials and tribulations of training for more than two hours per day. As Ian Rush said of his unhappy sojourn in Italy: "It's like a foreign country."

Rush, however, never had to deal with racist abuse (however well-intentioned) from officials of his own club. When Kevin Campbell was described as "our black cannibal" by the chairman of Trabzonspor, the Turkish club he had joined in preference to helping Nottingham Forest to battle against relegation, he knew that home was where the heart is, even if it meant being loaned to Everton, another side battling at the bottom of the FA Carling Premiership.

In fact, thanks to the goals of Campbell, our Fantasy Player of the Week, Everton could be in lower mid-table before too long. Campbell's two scores against Newcastle United at St James' Park took Everton to 37 points for the season, level on points with Coventry City. And, as everybody knows, finishing above Coventry means avoiding relegation: if the *Titanic* had been painted sky blue, so they say, she would never have gone down.

Not that Gordon Strachan's team do not like to keep things interesting. Their defeat by Middlesbrough at Highfield Road on Saturday could prove significant in Premiership terms, and it was also an important game for the winner of our weekly prize of £500, Daniel Ryan, of Hershman, who works as a retail manager for a well-known supermarket.

Gary McAllister and Dean Gordon, two of the goalscorers from that game, were in Mr Ryan's team, Ryan's Lions 98, bringing in a tidy six points, with Gordon's total boosted by his part in Middlesbrough's goalless draw with Chelsea in midweek, the clean sheet being worth three more. "Middlesbrough are good defensively, which is why I signed him," Mr Ryan said.



Albert Ferrer, of Chelsea, scored four points — three from the Middlesbrough-Chelsea game, with one appearance point for the Chelsea v Leicester City match. He was withdrawn two minutes too early to qualify for two more points for a clean sheet, Chelsea not having conceded a goal at that point.

Nigel Martyn, Dominic Matteo, Gareth Southgate and Paul Scholes scored three each. Add two-point contributions from Frank Lampard and Dean Sturridge, and Ryan's Lions came up with a healthy 29 points. Of Mr Ryan's team, only Nicolas Anelka, of Arsenal, failed to score. Mr Ryan supports... Arsenal.

A poor week for the overall leader, Phil Clarke's Shabadi United, who scored only a single point, saw These Eat Beans, selected by Nicholas Kelghey, open up a nine-point gap at the top of the leaderboard.

Even if your team missed the weekly winner's prize by a mile, you may still be in the money. With a team total of 3, 6 or 9, based on the player lists (right), you could be in line for this week's ON-Target prize of £500, so follow the instructions below.

For legal reasons, *The Times Fantasy League* is no longer able to accept entries from players under 18 years of age. Players 17 and under already registered in the main and youth leagues will, however, be allowed to remain in the competition.

Columns show: code, name, club, weekly points, total points, valuation (£ million).

GOALKEEPERS

Code	Name	Club	Weekly	Total	Valuation
101	A. Ramsdale	ARS	0	0	0.4
102	A. Smith	ARS	0	0	0.4
103	A. Smith	ARS	0	0	0.4
104	A. Smith	ARS	0	0	0.4
105	A. Smith	ARS	0	0	0.4
106	A. Smith	ARS	0	0	0.4
107	A. Smith	ARS	0	0	0.4
108	A. Smith	ARS	0	0	0.4
109	A. Smith	ARS	0	0	0.4
110	A. Smith	ARS	0	0	0.4
111	A. Smith	ARS	0	0	0.4
112	A. Smith	ARS	0	0	0.4
113	A. Smith	ARS	0	0	0.4
114	A. Smith	ARS	0	0	0.4
115	A. Smith	ARS	0	0	0.4
116	A. Smith	ARS	0	0	0.4
117	A. Smith	ARS	0	0	0.4
118	A. Smith	ARS	0	0	0.4
119	A. Smith	ARS	0	0	0.4
120	A. Smith	ARS	0	0	0.4

FULL BACKS

Code	Name	Club	Weekly	Total	Valuation
201	A. Smith	ARS	0	0	0.4
202	A. Smith	ARS	0	0	0.4
203	A. Smith	ARS	0	0	0.4
204	A. Smith	ARS	0	0	0.4
205	A. Smith	ARS	0	0	0.4
206	A. Smith	ARS	0	0	0.4
207	A. Smith	ARS	0	0	0.4
208	A. Smith	ARS	0	0	0.4
209	A. Smith	ARS	0	0	0.4
210	A. Smith	ARS	0	0	0.4
211	A. Smith	ARS	0	0	0.4
212	A. Smith	ARS	0	0	0.4
213	A. Smith	ARS	0	0	0.4
214	A. Smith	ARS	0	0	0.4
215	A. Smith	ARS	0	0	0.4
216	A. Smith	ARS	0	0	0.4
217	A. Smith	ARS	0	0	0.4
218	A. Smith	ARS	0	0	0.4
219	A. Smith	ARS	0	0	0.4
220	A. Smith	ARS	0	0	0.4

CENTRE BACKS

Code	Name	Club	Weekly	Total	Valuation
301	A. Smith	ARS	0	0	0.4
302	A. Smith	ARS	0	0	0.4
303	A. Smith	ARS	0	0	0.4
304	A. Smith	ARS	0	0	0.4
305	A. Smith	ARS	0	0	0.4
306	A. Smith	ARS	0	0	0.4
307	A. Smith	ARS	0	0	0.4
308	A. Smith	ARS	0	0	0.4
309	A. Smith	ARS	0	0	0.4
310	A. Smith	ARS	0	0	0.4
311	A. Smith	ARS	0	0	0.4
312	A. Smith	ARS	0	0	0.4
313	A. Smith	ARS	0	0	0.4
314	A. Smith	ARS	0	0	0.4
315	A. Smith	ARS	0	0	0.4
316	A. Smith	ARS	0	0	0.4
317	A. Smith	ARS	0	0	0.4
318	A. Smith	ARS	0	0	0.4
319	A. Smith	ARS	0	0	0.4
320	A. Smith	ARS	0	0	0.4

FORWARDS

Code	Name	Club	Weekly	Total	Valuation
401	A. Smith	ARS	0	0	0.4
402	A. Smith	ARS	0	0	0.4
403	A. Smith	ARS	0	0	0.4
404	A. Smith	ARS	0	0	0.4
405	A. Smith	ARS	0	0	0.4
406	A. Smith	ARS	0	0	0.4
407	A. Smith	ARS	0	0	0.4
408	A. Smith	ARS	0	0	0.4
409	A. Smith	ARS	0	0	0.4
410	A. Smith	ARS	0	0	0.4
411	A. Smith	ARS	0	0	0.4
412	A. Smith	ARS	0	0	0.4
413	A. Smith	ARS	0	0	0.4
414	A. Smith	ARS	0	0	0.4
415	A. Smith	ARS	0	0	0.4
416	A. Smith	ARS	0	0	0.4
417	A. Smith	ARS	0	0	0.4
418	A. Smith	ARS	0	0	0.4
419	A. Smith	ARS	0	0	0.4
420	A. Smith	ARS	0	0	0.4

Sheringham making up for lost time

It was a weekend full of surprises as far as *The Times Fantasy League* was concerned. High-profile players hardly featured and a couple of struggling strikers managed to pick up a few points at last.

Teddy Sheringham, of Manchester United, benefited from his first Premiership start for several months. Although the vast majority of managers who originally picked Sheringham for their

fantasy teams lost faith a long time ago, the few that still own him were duly rewarded with a much-needed seven points for a goal and two assists.

Another significant Fantasy League flop, Mark Hughes, also managed to get on to the scorersheet for the first time this season. With just a solitary assist to his name before Saturday, Hughes increased his points tally to five as a result of his goal for

Southampton against Blackburn Rovers. However, his points-per-game average over the whole season stands at a meagre 0.18.

Recent additions to the player list were also in the points on

transfer list. Want to make one of your 12 transfers? Call 0640 625 103 (ex-UK +44 870 901 4293). 0640 calls cost 60p per minute. Ex-UK calls charged at national rates.

Saturday. Kevin Campbell made it 16 points in four games and Graham Stuart scored his second goal for Charlton Athletic in the space of a week. Marian Pahars, Chris Marsden and Scott Gemmill all scored their first goals for their new clubs.

The big-name strikers failed to make any impact. Dwight Yorke and Andy Cole were ressed ahead of their vital game in Turin tomorrow, resulting in frustration

for a large proportion of Fantasy League managers.

With Michael Owen missing the remainder of the season with a hamstring injury, and Jimmy Floyd Haskin limping off with a similar injury, all the leading Fantasy League managers have been detrimentally affected, thus giving the chasing pack a chance to catch up — albeit for some slightly too late.

MATT SIMS

Are you on target to win £500?

Congratulations to Richard Ball, of London SW4, the main winner of ON-Target from last week. Even if you do not have a Fantasy League team, you can enter this new game now — or enter a new one simply for ON-Target. All managers have the chance to win a share of £28,000 of new prizes. *The Times* has teamed up with EA Sports to offer you the chance to own the renowned FIFA 99 game. Every week you could win:

- 1st prize: £500 plus EA Sports Pack
- 4 runners-up: EA Sports Packs
- 10 additional runners-up: FIFA 99 CD-Rom.

Each EA Sports Pack contains: FIFA 99 for the PlayStation; FIFA 99 for the PC; EA Sports T-Shirt, keyring and mini football plus a record bag.

If you already have a team in the main game, you are ready to play ON-Target. Simply check your Fantasy League players' score each week and see if their total is the same as our ON-Target score. If you have scored the exact target points, a quick call to our ON-Target winners' line will put you in the draw to win one of the 15 prizes. You can enter at any time and there is no limit to how many teams you can enter.

THIS WEEK'S ON-TARGET SCORE

Has your team scored...

3 or 6 or 9

points?

Check your total, then ring

0870 901 4270

(ex-UK +44 870 901 4270)

0640 calls cost 60p per minute. Ex-UK calls charged at national rates.

FANTASY LEAGUE SERVICES

Use these numbers for all the information you need

CHECKLINE

To check your team's standing

0640 625 102

(ex-UK +44 870 901 4292)

TRANSFER LINE

To alter your team

0640 625 103

(ex-UK +44 870 901 4293)

0640 calls cost 60p per minute (ex-UK numbers charged at national rates)

SCORELINE

A comprehensive update sheet

0991 123 720

(ex-UK +44 870 901 4280)

SUMMER LEAGUE

A brand new service

0991 123 721

(ex-UK +44 870 901 4279)

0640 calls cost £1 per minute (ex-UK numbers charged at national rates)

HELP LINE

for any queries

01582 702720

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FANTASY LEAGUE LEADERBOARD

Rank	Name	Points
1	Nicholas Kelghey	384
2	Phil Clarke	375
3	Mike Shipley	373
4	Robert Little	370
5	James Kerr	369
6	Brian Payne	364
7	Matthew O'Neill	364
8	Phil Taylor	364
9	Michael Maritz	363
10	Mark Cohen	362
11	Sarah-Jane Kelli	362
12	Sarah-Jane Kelli	362
13	David Wise	357
14	David Edmondson	356
15	Thomas Bailey	355
16	Phil Taylor	355
17	Terry Bullen	354
18	David Young	353
19	Darren Sawyer	352
20	Jonathan Cook	352
21	Scott Wynd	351
22	Jason Brett	351
23	Robbie Harrington	350
24	Stephen Bailey	350
25	Tom Summers	350
26	Peter Leatham	350
27	Rob Paterson	348
28	Richard Pearce	348
29	L. Samuels	348
30	Andrew Colyer	347
31	David Tiley	347
32	David Head	347
33	Steven Walls	346
34	John Humphreys	346
35	Jo Young-Cloves	346
36	Richard Pope	346
37	Ralph Kishall	346
38	Philip Morton	345
39	Simon Lowe	345
40	Michael Seales	345
41	Paul Coton	345
42	Colin Head	344
43	Raymond George	344
44	Alan Parry	344
45	Robert Adams	344
46	Nathan Carroll	344
47	Paul O'Neill	344
48	H. S. Skidmore	344
49	Stephen Bailey	343
50	Justin Beaumont	343
51	John Miller	343
52	Tony Piller	343
53	George Millington	343

YOUTH LEAGUE LEADERS

Rank	Name	Points
1	Matthew O'Neill	384
2	Sarah-Jane Kelli	362
3	Tom Summers	350
4	Michael Seales	345
5	Robert Adams	344
6	Stephen Bailey	343
7	Matthew Watson	341
8	Paul Williams	335
9	Henrietta Ball	333
10	James Gritches	332

RUGBY UNION

Andrew's injury puts Wilkinson in pivotal role

By DAVID HANDS, RUGBY CORRESPONDENT

CLIVE WOODWARD is not a man to wish misfortune on anyone, but the England coach is certain to have the chance to see Jonny Wilkinson playing fly half during the last month of the domestic season. The dislocated shoulder suffered by Rob Andrew during Newcastle's controversial defeat by Wasps on Sunday means that Wilkinson must move from the centre for the club's remaining games, among them the Tetley's Bitter Cup final at Twickenham on May 15.

Woodward has steered clear of fielding Wilkinson in the position where he made his name as a schoolboy, partly because he had no firm evidence of his ability to manage a game at first-class level. In any case, it suited him to play Wilkinson in the centre throughout the Five Nations Championship after injury deprived England of the services of Will Greenwood. Phil de Glanville and, finally, Jeremy Guscott.

can do. I'm desperately disappointed for Rob, but I don't think we have seen the last of him."

Newcastle cannot afford to lose any more games if they are to ensure a top-six finish and qualify for Europe next season, which could be worth more than £500,000 to the participants, but Woodward will be looking ahead to England's summer visit to Australia and the centennial international in Sydney, as well as the friendly matches with Canada and the United States in August. These are games in which, if change is to be made before the World Cup, Wilkinson could be thrown the England No 10 shirt too.

Andrew, who has dislocated the left shoulder before, was at work yesterday and is certain to register himself as a Newcastle player for next season, in view of Wilkinson's certain absence with England for the first three months. He will be disappointed to miss another

significant Twickenham occasion next month, but, even at 36, he is not a man to allow injury to terminate his playing career before he is ready.

Cardiff are preparing a bid for Chris Wyatt, the Llanelli lock, who was one of the outstanding performers for Wales during the Five Nations Championship. Wyatt will be out of contract in July and Cardiff are likely to offer a greater salary than Llanelli can afford. Since they expect to lose Derwyn Jones to a French club and Steve Moore is suffering from a long-term injury, they also need to bolster the second-row department.

"We have started negotiations with Chris's agent with a view to keeping him at Llanelli," Stuart Gallacher, the Llanelli chairman, said. "As yet, we have not had any financial approach, but we are aware that a number of clubs, including Cardiff, are very interested in Chris and one or two other Llanelli players."



Wilkinson, left, replaces Andrew, centre, as Newcastle fly half



Becker provides a picture of concentration on his way to a first-round victory over Pioline in Monaco yesterday

Becker treads warily on clay

By Alix Ramsay
Tennis Correspondent
in Monte Carlo

THIS is where it all starts — officially, at least. The European clay-court season has been up running for a couple of weeks now, but tradition states that this is where the hard work begins for the run into Roland Garros and the French Open. And as places go, the Monte Carlo Country Club is not bad. The remarkably blue sky is broken only by the whirr of a helicopter bringing the overtaxed and overstressed to their haven by the Mediterranean.

Boris Becker has known about the delights of Monaco for many a year — he has owned a home here since he was a teenager — though the club's clay courts are still something of a challenge. Becker has yet to win a title on the slow red dirt and, in 12 years of trying here, he has reached the final only three times. This is his thirteenth attempt and, after his first-round victory against Cedric Pioline yesterday, he was feeling lucky.

"I am probably the best player never to have won a clay-court tournament — for the moment," he said after his 2½-hour struggle. The prospect of victory,

however, is still a long way off. Yesterday, he had chances to win in the second set and chances to lose in third, but eventually came through, as he always does against Pioline, 6-4, 5-7, 6-4.

Poor old Pioline. He has not beaten Becker in nine attempts and yesterday was only the first time he had even taken a set from him. As his hopes of victory disappeared, so did his No 1 status in France as Jérôme Golmard, who had a simple 6-1, 6-2 win over Davide Sanguinetti, took the top spot. Golmard plays Becker in the second round.

Not that Golmard got it all his own way yesterday. Together with Arnaud Clement, he lost his opening doubles to Tim Henman and Olivier Delaître. Henman and Greg Rusedski both spent the

day familiarising themselves with the difficulties of a surface that requires patience, thought and a good deal of nerve before heading for the net. The problem for both men lies in the swarms of Spanish-speaking young men who had all perfected their top spin forehand before they could say "thole" and tend to wear their more cavalier opponents down from the baseline.

Henman will see how far his patience will stretch today when he opens his account against Fernando Meligeni, of Brazil, who defeated Andrew Ilie, of Australia, 6-4, 5-7, 6-2. Should Henman succeed, perhaps he could pass on the secret to Goran Ivanisevic, who turned in one of his most abysmal performances — racket throwing and all — as he lost 6-1, 6-4 to Hicham Arazi.

LINKS
WEBSITE: www.mccopen.org - news, interviews and results
TELEVISION: Eurosport, 9.30am-5pm (live)

SPORT IN BRIEF

World Cup benefits from £1.5m boost

RUGBY LEAGUE: The 16-nation 2000 World Cup in the four home countries and France received a £1.5 million boost yesterday in a record event sponsorship agreement with the Lincoln Financial Group, which sponsors the Great Britain team. Most of the 31 games are expected to be televised live in a probable combined bid for broadcasting rights by the BBC and BSkyB.

SQUASH: Cassandra Jackman, of England, was beaten 9-5, 9-3, 10-9 in 43 minutes by Michelle Martin, the defending champion and world No 1, in the semi-finals of the WISPA World Grand Prix play-offs in Hurgada, Egypt. Martin meets Carol Owens, a fellow Australian, in the final, which could see her capture a fiftieth world tour title.

BOWLS: David Constant, the Test cricket umpire, helped Bristol's indoor bowlers [of the underarm kind] to reach the final of the Wessex League on Saturday, but was unable to turn out in the final at Donyan on Sunday because he was officiating in a one-day cricket match at Lord's. Bristol beat Moonfleet 91-63 to lift the title for the fourth time.

BOXING: The new Mandalay Bay hotel in Las Vegas has offered \$10 million to stage the world heavyweight championship rematch between Lennox Lewis and Evander Holyfield, Panos Eliades, Lewis's promoter, said yesterday.

ROWING: Steven Redgrave, the four-time Olympic champion, will fulfil one of his ambitions when he competes in the first Supersprint Regatta, to be held in London's Docklands on September 11.

Queen's Bench Division

'Publisher' on the Internet

Godfrey v Demon Internet Ltd
Before Mr Justice Morland
[Judgment March 26]

Where an Internet service provider (ISP) which has received and stored a posting on its news server, transmitted that posting to its subscribers who wished to download it, the ISP was a publisher of the posting at common law, but not for the purposes of section 1(2), and (3) of the Defamation Act 1996.

Mr Justice Morland so held in the Queen's Bench Division in a reserved judgment when, allowing an application by way of summons by Mr Laurence Godfrey to strike out part of the defence of Demon Internet Ltd as disclosing no sustainable defence to a libel action against them by the plaintiff, asking that they had published a posting of the plaintiff via the Internet usernet system on the news server of their ISP.

Section 1 of the 1996 Act provides: "(1) In defamation proceedings a person has a defence if he shows that: (a) he was not the author, editor or publisher of the statement complained of, (b) he took reasonable care in relation to its publication, and (c) he did not know, and had no reason to believe, that what he did caused or contributed to the publication of a defamatory statement."

"(2) For this purpose, 'publisher' means a commercial publisher,

that is, a person whose business is issuing material to the public, or a section of the public, who issues material containing the statement in the course of that business.

"(3) A person shall not be considered the author, editor or publisher of a statement if he is only involved: (a) in printing, producing, distributing or selling printed material containing the statement ... (b) in processing, making copies of, distributing or selling any electronic medium in or on which the statement is recorded, or in operating or providing any equipment, system or service by means of which the statement is retrieved, copied, distributed or made available to electronic form ... (c) as the operator or provider of access to a communications system by means of which the statement is transmitted, or made available, by a person over whom he has no effective control."

"In a case not within paragraphs (a) to (c) the court may have regard to these provisions by way of analogy in deciding whether a person is to be considered the author, editor or publisher of a statement."

Section 17 provides: "(1) In relation to a statement, 'publish' has the meaning that it has for the purposes of the law of defamation generally, but 'publisher' is specially defined for the purposes of section 1."

His Lordship said that at common law, the defendants, whenever they transmitted and whenever they stored their news server a defamatory posting, published that posting to any subscriber to their

Mr Justin Rushbrooke for Mr Godfrey; Mr Manuel Barza for Demon Internet.

MR JUSTICE MORLAND said that the defendants were an Internet service provider. Via the Internet, a worldwide computer network, a person who subscribed to an ISP could submit an article known as a posting to the news server based at his ISP which would disseminate the posting via the Internet and it would ultimately reach the news servers of other ISPs around the world, such as that of the defendants.

Internet users could access and read the posting by connecting to their local ISP's news server and requesting it. The ISP would then transmit the posting to the user who could download it on to his computer.

A posting defamatory of the plaintiff made by an unknown person which was posted on an American ISP, eventually reached the news server of the ISP of the defendants.

The plaintiff informed the defendants that the posting was defamatory and asked them to remove it immediately from the defendant's news server. The defendant's news server said that at common law, the defendants, whenever they transmitted and whenever they stored their news server a defamatory posting, published that posting to any subscriber to their

ISP who accessed the newsgroup containing that posting and saw it. The situation was analogous to that of the bookseller who sold a book defamatory of the plaintiff.

The defendants' argument that they played a passive role and were merely the owners of an electronic device through which postings were transmitted could not be accepted.

The defendants chose to receive and store the news group containing the posting which could be accessed by subscribers, and could obliterate it, as they later did.

His Lordship said that the defendants were clearly not commercial publishers of the posting for the purposes of section 1(2) and (3) of the 1996 Act and were therefore able to satisfy the requirements of section 1(1)(a), the first part of the defence under section 1 of the 1996 Act.

However, after the posting was published at common law, as from the date that the defendants became aware of the defamatory content of it, they could not therefore avail themselves of the protection provided by section 1 of the 1996 Act.

Accordingly, the plaintiff's summons would succeed.

Solicitors: Bindman & Partners; Olswang.

Bolkiah v KPMG (a Firm)
Before Lord Browne-Wilkinson, Lord Hope of Craighead, Lord Clyde, Lord Hutton and Lord Millett
[Reasons December 18]

A solicitor owed a strict and unqualified duty to a former client not to disclose or misuse confidential information which had been obtained in the course of a fiduciary relationship and not to expose the client to any avoidable risk that the information might unwittingly or inadvertently be communicated to another client with an opposing interest.

Therefore, when a firm of accountants had provided litigation support services to a former client, the firm had to be treated in the same way as a solicitor in respect of information which was confidential.

The erection of ad hoc "Chinese walls" within a single department of a firm so as to prevent the flow of information between groups of employees was not an adequate means of ensuring that client confidentiality was maintained.

The House of Lords so held when giving reasons for having allowed on November 18 an appeal by the plaintiff, Prince Jefri Bolkiah, from a decision of the Court of Appeal (Lord Woolf, Master of the Rolls and Lord Justice Otton, Lord Justice Waller dissenting) (The Times October 22, 1998) allowing an appeal by the defendants KPMG, a firm, from an order of Mr Justice Pumfrey (The Times September 25, 1998) granting the plaintiff's application for an injunction restraining the defendants from carrying out an investigation for the Brunel Investment Agency (BIA) or any other agency of the Government of Brunei.

Mr Gordon Pollock, QC, Mr Richard Meade and Mr James Collins for Prince Jefri; Mr David Donaldson, QC, Mr Ali Malek, QC and Mr David Quest for KPMG.

LORD MILLETT said that the question was whether, and if so in what circumstances, a firm of accountants which had provided litigation support services to a former client and in consequence had in its possession information which was confidential to him, could undertake work for another client with an adverse interest.

The question had become of increased importance with the emergence of international firms that operated on a global scale and offered a comprehensive range of services.

KPMG was a large and well known English firm of chartered accountants with associated but separate firms around the world.

Ever since the BIA was established in 1983 to hold and manage the general reserve fund of the Brunei Government and its external assets and to provide the government with money management services, KPMG had undertaken the annual audit of its core funds, the exact size of which was secret but was valued at billions of dollars.

Prince Jefri, a former Minister of Finance, was the youngest brother of the Sultan of Brunei and for many years had been chairman of the BIA. He was, however, no longer in favour with the Sultan and had been removed from his position as chairman.

Over the years, numerous large transfers of capital were made out of the core funds. The destination of those transfers did not form part of KPMG's audit.

KPMG were required to accept an annual representation from the board, of which Prince Jefri was chairman, that the transfers were on behalf of or for the benefit of the Brunei Government.

For 18 months between 1996 and 1998 KPMG were also retained by Prince Jefri's companies on his behalf to undertake a substantial investigation in connection with major litigation in which he was involved.

The investigation was given the code name Project Lucy and was mainly conducted by KPMG's London forensic accounting department which provided extensive litigation support services and performed tasks usually undertaken by solicitors such as interviewing witnesses, taking part in conferences, drafting subpoenas, reviewing pleadings and preparing ideas for cross-examination.

They were given a substantial volume of confidential information concerning the identity, location and legal structure of Prince Jefri's assets and financial affairs.

The litigation was settled in March 1998 and KPMG were formally instructed to discontinue Project Lucy in May 1998. In June 1998 the Brunel Government appointed a task force to investigate the BIA's activities.

In July 1998 KPMG were formally instructed by the BIA to assist the task force in investigating the withdrawal of assets by means of the special transfers. That assignment was given the code name Project Gemma.

KPMG then gave its staff instructions that an information barrier, popularly known as a "Chinese wall", should be put in place within the forensic accounting department and special arrangements were established to protect the confidentiality of information in KPMG's possession which related to Prince Jefri.

No one who was in possession of information from Project Lucy was selected to work on Project Gemma and arrangements were made for the work to be done in a secure office in a different building.

The issues raised had not previously been considered by the House of Lords. The controlling authority in England hitherto had been Court of Appeal decision in *Rakusen v Ellis Munday and Clarke* ([1992] 1 Ch 83) which was authority for the propositions: "There was no absolute rule of law in England that a solicitor could not act in litigation against a former client and

2. The solicitor might be restrained from acting if such a restriction was necessary to avoid a significant risk of the disclosure or misuse of confidential information belonging to the former client."

The duties of an accountant could not be greater than those of a solicitor, and might be less, for information relating to his client's affairs which was in a solicitor's possession was usually privileged as well as confidential.

However, some of the information obtained by KPMG was likely to have attracted litigation privilege, although not solicitor-client privilege, and it was conceded by KPMG that an accountant who provided litigation support services of the kind which they provided to Prince Jefri must be treated in the same way as a solicitor.

The court's jurisdiction to intervene on behalf of a former client was founded not on the avoidance of any impropriety but on the protection of confidential information. It was incumbent on the former client to establish: 1. The solicitor was in possession of information which was confidential to him and to the disclosure of which he had not consented, and 2. The information was or might be relevant to the new matter in which the interest of the new client was or might be adverse to his own.

Although the burden of proof was on the former client, it was not a heavy one. The former might readily be inferred and the latter would often be obvious.

Whether founded on contract or equity, solicitors' duty to preserve confidentiality was unqualified. It was a duty to keep the information confidential, not merely to take all reasonable steps to do so.

Moreover, it was not merely a duty not to communicate the information to a third party. It was a duty not to misuse it.

His Lordship agreed with criticisms made of the test laid down in *Rakusen*. It imposed an unfair burden on a former client, exposed him to a potential avoidable risk to which he had not consented and failed to give him sufficient assurance that his confidence would be respected. It also exposed the solicitor to a degree of uncertainty which could inhibit him in his dealings with the second client.

It was difficult to discern any justification in principle for a rule which exposed a former client, without his consent, to any avoidable risk, however slight, that confidential information imparted in the course of a fiduciary relationship could be used to his disadvantage.

Anything less than a strict approach failed to give effect to the policy on which legal professional privilege was based. It was of overriding importance to the proper administration of justice that a client should be able to have complete confidence that what he told his lawyer would remain secret.

Chinese walls were widely used by financial institutions in the City of London and elsewhere. They

were the favoured technique for managing the conflicts of interest which arose when financial business was carried on by a conglomerate.

KPMG insisted that, like other large firms of accountants, they were accustomed to maintaining client confidentiality, not just within the firm but also within a particular team. They stressed that large firms of accountants were very experienced in the erection and operation of information barriers.

They asserted it was part of the professional culture in which staff worked and became second nature to them. They said the arrangements they made satisfied the most stringent test and there was no risk that information obtained in the course of Project Lucy had or would become available to anyone on Project Gemma.

His Lordship was not persuaded that that was so. Even in the financial services industry good practice required there to be established institutional arrangements designed to prevent the flow of information between different departments. The Chinese walls which featured in the present case were erected within a single department.

When the number of personnel involved was taken into account together with the fact that the teams engaged on Project Lucy and Project Gemma each had a rotating membership, so that members may have joined from and returned to other projects, the difficulty of enforcing confidentiality or preventing unwitting disclosure was very great.

It was one thing, for example, to separate and erect Chinese walls between the insolvency, audit, taxation and forensic departments. Such departments often worked from different offices and there might be relatively little movement of personnel between them.

But it was quite another to attempt an information barrier between members of the same department who had been accustomed to working with each other. Forensic accountancy was said to be an area in which new and unusual problems often arose and partners and managers shared information and expertise. Furthermore physical segregation was not necessarily adequate especially within a single department.

In his Lordship's opinion, an effective Chinese wall needed to be an established part of the organisational structure of the firm, not created ad hoc.

KPMG had not discharged the heavy burden of showing that there was no risk of confidential information from Project Lucy being disclosed to those on Project Gemma. Therefore the injunction was granted.

Lord Browne-Wilkinson, Lord Clyde and Lord Hutton agreed, and Lord Hope delivered a concurring speech.

Solicitors: Lovell White Durand; Stephenson Harwood.

House of Lords

Chinese walls insufficient

No duty to house violent asylum-seeker

Regina v Kensington and Chelsea London Borough Council. Ex parte Kujtim
Before Mr Justice Scott Baker
[Judgment March 31]

Where a destitute asylum seeker had been evicted from two lodgings by different accommodation managers because of his behaviour, a local council was under no mandatory obligation to meet his continuing need for accommodation under section 21(1) of the National Assistance Act 1948.

A discretionary power existed under section 47(1) of the National Health Service and Community Care Act 1990, and in reaching any decision the local council was entitled to take into account evidence of those evictions.

Mr Justice Scott Baker so held in the Queen's Bench Division when dismissing an application for judicial review of the refusal by Kensington and Chelsea London Borough Council, by letter of January 13, 1999, further to accommodate Mr Muriq Kujtim.

Mr Kujtim, a Kosovan Albanian asylum seeker, had been evicted from his first lodgings on account of his violent behaviour towards staff, a threat to kill the management and failure to abide by the rules and regulations of the house. He was told that he would be given one last chance. However, his be-

haviour at his second lodgings again led to his eviction.

The council interviewed Mr Kujtim, when he was given an opportunity to comment on his eviction. Thereafter, the council concluded that the management's decision was justified, and that it did not have an open ended duty to continue providing accommodation.

Miss Elisabeth Appleby, QC and Mr Stephen Knafier for Mr Kujtim; Mr Ashley Underwood and Ms Rowena Champion for Kensington and Chelsea.

MR JUSTICE SCOTT BAKER said that section 21 of the 1948 Act was one of a species of provisions, in fact, the safety net provision, that was triggered by section 47 of the 1990 Act in relation to an individual.

If a local authority decided that an individual's needs called for the provision of services, residential accommodation was one of the services that could be provided.

In cases such as the present it was necessary to begin by looking at section 47 of the 1990 Act and not section 21 of the 1948 Act. A local authority had a discretion under section 47(1) of the 1990 Act to decline to meet a need that it had assessed.

The local authority had provided accommodation on more than one occasion, and in most circumstances it would be difficult to see

how the discretion could properly be exercised against providing accommodation for a destitute asylum seeker. But, in his Lordship's judgment, there was not a mandatory obligation to provide accommodation whenever the circumstances were such.

As to whether there was a need for reassessment, the council had originally assessed Mr Kujtim's needs, and decided that his needs called for the provision of accommodation, which was arranged through the vehicle of section 21 of the 1948 Act.

The accommodation provided ceased to exist not because of any act on the part of the council but because the owners, first of Bishop's Lodge and then Abercorn House, had evicted him. It was in those circumstances that Mr Kujtim returned to the council for further accommodation.

The council was entitled to take into account the history of what had happened and decline to arrange further accommodation. The authority did not have to keep assessing his needs over and over again and meeting them.

It was quite impracticable to impose in every case an obligation on the local authority to investigate issues between someone for whom it had arranged accommodation and hotel management. Provided the lo-

cal authority acted reasonably in all the circumstances apparent to it, that would be sufficient.

One had great sympathy for a Kosovan refugee in the circumstances described by Mr Kujtim but his Lordship could not conclude that the decision to refuse to provide accommodation for him was unlawful.

The council was entitled to conclude that he had brought the accommodation problem on his own head and that it was not obliged to continue to accommodate him.

If he was entitled to asylum then from his point of view and from the viewpoint of common humanity the sooner that was resolved by the secretary of state the better.

Solicitors: Peter Kandler & Co, North Kensington; Mr Alun Phillips, Kensington.

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Chapple-Hyam takes turn in Guineas spotlight

By CHRIS McGRATH

PUNTERS and bookmakers were so critical of last week's Sagitta 2,000 Guineas dress rehearsal that they have been reduced to eavesdropping as members of the cast practice their lines before a mirror. Yesterday, Commander Collins, who disputes favouritism after lurking in his Manton lair all spring, could enjoy the twin benefits of privacy and a familiar company in a discreet trial at Newbury racecourse. He duly prospered, but whether the same will be true of his backers is another matter.

Commander Collins worked with Mother Of Pearl and Bismarck. Peter Chapple-Hyam still feels unable to commit Mother Of Pearl to the Sagitta 1,000 Guineas, however — so presumably she cannot present too much of a hindrance for now — while Bismarck is a staying type, who warms up for the Vodafone Derby in the Grosvenor Casinos Dante Stakes at York next month.

It would be alarming indeed should a Guinness favourite falter in such company, with just a dozen days to go. "But then he's not one to excite you at home," Chapple-Hyam said. "They worked a mile and he finished a couple of lengths clear. My horses are just need-

ing the run, but he won't blow up at Newmarket."

Commander Collins relished a test over a mile when running away with the Racing Post Trophy in heavy ground last autumn, having just failed to collar Auction House over seven furlongs on his previous start. Auction House, who worked a little anonymously at Newbury on Saturday, is also heading straight to the Guineas but is by no means certain to preserve his advantage over a mile.

Equally, Commander Collins could prove vulnerable if conditions place an emphasis on speed, though Chapple-Hyam thinks otherwise. "He goes on any ground," he said. "But I believe he is a better horse on fast going. In fact, I know he is."

The irony is that a different private trial could well prove more significant than the races that caused such confusion at Newmarket and Newbury last week. Commander Collins in Dubai were strongly contested in every sense, and the outcome of the colts' "race" came as no surprise to David Elsworth — who trained Island Sands to win both his starts last season. "He's a very good horse," he said yesterday. "If you harness his ener-

gies, he will find gears all the way. They have good people riding out in Dubai, and they have obviously disciplined him well. He can come up and then he can quicken again."

The nascent Flat season formally takes the baton of public interest from National Hunt on their shared card at Sandown on Saturday. Bobbyjo, the Martell Grand National winner, was well served when weights for the 43rd Whitbread Gold Cup went up 11lb at yesterday's five-day entry stage — he is now just 4lb out of the handicap on his pre-Aintree rating. Being so unexpected when adequate demand is made of his jumping and stamina on good ground, the Irish horse looks "thrown in."

Certainly he came to Liverpool a fresh horse, all but sprinting home from the elbow, and Tommy Carberry was heartened by a school over hurdles yesterday. "We always had the Whitbread in mind," the trainer said. "Liverpool did not seem to take much out of him and he has come out of it well." He could offer no such assurances of his son, Paul, Horse and rider seem certain, however, to present another spectacle over those railway fences.

JULIAN MUSCAT

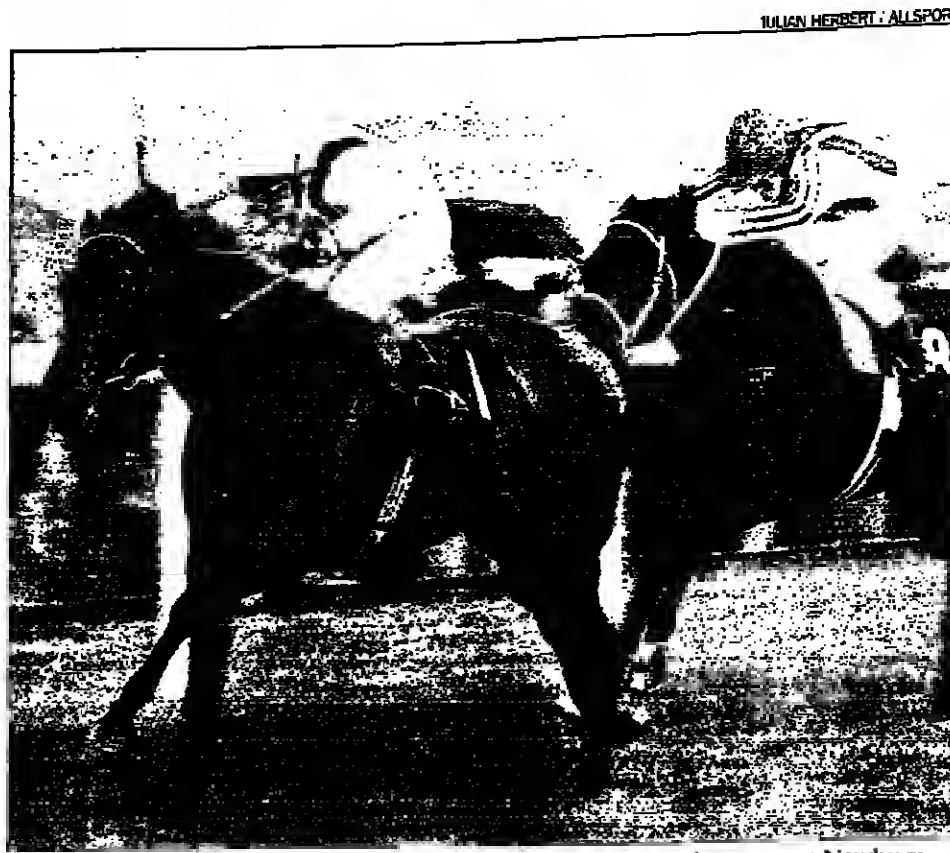


On the level

The conclusion to last year's Flat season came laced with the impression that the juvenile crop was brimful with promise. Any number of candidates for the mile classics were augmented by more than a handful with attractive prospects for the blue riband events over 12 furlongs. Then we witnessed a week of classic trials and the roof fell in. The only trainers left smiling were those yet to send their charges at the races.

While this scenario is hardly novel, it has rarely been so pronounced. It reeks of uncertainty when a once-raced maiden corners the 2,000 Guineas market, as Killer Instinct did before his odds-on defeat at Newbury. In normal circumstances a Frankie Dettori "trial" treble at Newmarket would have yielded yards about his embarrassment of classic riches. Instead, the silence after Dettori's unimpressive victory for Valentine, Bertolini and Compton Admiral suggested that we had witnessed a phoney war.

It was much the same for Kieren Fallon at Newbury after the champion jockey dived with a "trial" double — courtesy of Wince and Enrique. For all its merit, Wince's Dubai



The much-touted Killer Instinct, right, is put in his place by Alrassam at Newbury

Duty Free Stakes victory may have caused Fallon to reflect ruefully on her name, for Wince seems certain to keep Fallon from taking the ride on Moirava, the 1,000 Guineas favourite. As for Enrique, his somewhat laboured victory in the Triplemint Stakes indicated that this talented colt may be best served by a test of speed.

Equally confusing were the magic-carpet messages from Dubai, where the unheralded Island Sands apparently held sway in the colts' trial. Even more bizarre was the pair of distaffers highlighted after the fillies' trial. Step forward

Zahra Dubai and Pescara, both of whom finished ahead of Edizax — herself advanced last week by her former trainer, John Dunlop, as more of a staying type than your typical 1,000 Guineas candidate.

So where does that leave us addicts of the classic scene? Well, we're plainly struggling for direction, if not quite lost inside Goldfinger's notorious Hall of Mirrors. Compton Admiral's Craven Stakes victory carried more significance than it attracted after the baffling effort of Mujahid, whose abject defeat provided the contest's talking point.

By the majestic Arc winner.

For the real suspects, read Godolphin — whose downbeat assessment of their private trials is invariably a calculated response. Its generals are too astute to generate increased expectation by touting a front-line candidate. One can almost hear them chuckling as they read of the British racing media's efforts to grapple with the worth of Zahra Dubai. There also lurks the as-yet unresolved issue of whether Alrassam will actually qualify for a place in what threatens to be an oversubscribed Kentucky Derby field.

It was said of the Sport of Kings that no amount of resources could ever buy an all-embracing dominance. While this remains intrinsically true, the waning value of traditional Guineas trials graphically illustrates the sport's changing face. Whatever your view of Godolphin's involvement, one of its legacies is that Flat racing in April has become almost as irrelevant as the false dawn at Doncaster in March. *Julian Muscat writes on Flat racing every Tuesday*

ter Chapple-Hyam was after his Brancaster had chased home Compton Admiral at Newmarket. The inference was that Chapple-Hyam's Commander Collins is rated Brancaster's master at home.

All this summation raises a question perennially posed in respect of the "proper" start to the Flat. Purists adamant that hostilities should commence at the Craven meeting must now consider postponing that date to the Guineas meeting itself. The once-recognised trials now take place in kangaroo courts while the real suspects remain at large.

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UNDERSTANDING POINTS

THE GUIDE TO THE GOING

Underfoot conditions: Standard, Hard, Firm, Good, Soft, Heavy

PONTEFRAC 17, 7-ace card
1st race: 2.20
Winning favourite: 34.3%

Long-distance traveller: Somerville (3.50), 235 miles

CHEPSTOW 17, 6-ace card
1st race: 2.10
Winning favourite: 38.5%

Long-distance traveller: Home Counties (3.40), 225 miles

FOLKESTONE 17, 8-ace card
1st race: 2.00
Winning favourite: 32.7%

Long-distance traveller: Belmont (2.30), 266 miles

EARLY BIRD Best value this morning
Holy Smoke
7/1 with Coral
4.20 Pontefract

See racecards for detailed going

CHEPSTOW

ROB WRIGHT

2.10 Corniche 3.40 Warm Spell
2.40 See Enough 4.10 Sol Music
3.10 Saltram Moss 4.40 Enripus

Carl Evans: 3.10 Derrig Dove

GOING: SOFT SIS

2.10 SAPHIRE NOVICES HURDLE (£2,444; 2m 4f 110yd) (11 runners)

1. 2221 KELLYS CONQUEST 7 (M) 6-11-12-13-14-15-16-17-18-19-20-21-22-23-24-25-26-27-28-29-30-31-32-33-34-35-36-37-38-39-40-41-42-43-44-45-46-47-48-49-50-51-52-53-54-55-56-57-58-59-60-61-62-63-64-65-66-67-68-69-70-71-72-73-74-75-76-77-78-79-80-81-82-83-84-85-86-87-88-89-90-91-92-93-94-95-96-97-98-99-100-101-102-103-104-105-106-107-108-109-110-111-112-113-114-115-116-117-118-119-120-121-122-123-124-125-126-127-128-129-130-131-132-133-134-135-136-137-138-139-140-141-142-143-144-145-146-147-148-149-150-151-152-153-154-155-156-157-158-159-160-161-162-163-164-165-166-167-168-169-170-171-172-173-174-175-176-177-178-179-180-181-182-183-184-185-186-187-188-189-190-191-192-193-194-195-196-197-198-199-200-201-202-203-204-205-206-207-208-209-210-211-212-213-214-215-216-217-218-219-220-221-222-223-224-225-226-227-228-229-230-231-232-233-234-235-236-237-238-239-240-241-242-243-244-245-246-247-248-249-250-251-252-253-254-255-256-257-258-259-260-261-262-263-264-265-266-267-268-269-270-271-272-273-274-275-276-277-278-279-280-281-282-283-284-285-286-287-288-289-290-291-292-293-294-295-296-297-298-299-300-301-302-303-304-305-306-307-308-309-310-311-312-313-314-315-316-317-318-319-320-321-322-323-324-325-326-327-328-329-330-331-332-333-334-335-336-337-338-339-340-341-342-343-344-345-346-347-348-349-350-351-352-353-354-355-356-357-358-359-360-361-362-363-364-365-366-367-368-369-370-371-372-373-374-375-376-377-378-379-380-381-382-383-384-385-386-387-388-389-390-391-392-393-394-395-396-397-398-399-400-401-402-403-404-405-406-407-408-409-410-411-412-413-414-415-416-417-418-419-420-421-422-423-424-425-426-427-428-429-430-431-432-433-434-435-436-437-438-439-440-441-442-443-444-445-446-447-448-449-450-451-452-453-454-455-456-457-458-459-460-461-462-463-464-465-466-467-468-469-470-471-472-473-474-475-476-477-478-479-480-481-482-483-484-485-486-487-488-489-490-491-492-493-494-495-496-497-498-499-500-501-502-503-504-505-506-507-508-509-510-511-512-513-514-515-516-517-518-519-520-521-522-523-524-525-526-527-528-529-530-531-532-533-534-535-536-537-538-539-540-541-542-543-544-545-546-547-548-549-550-551-552-553-554-555-556-557-558-559-560-561-562-563-564-565-566-567-568-569-570-571-572-573-574-575-576-577-578-579-580-581-582-583-584-585-586-587-588-589-590-591-592-593-594-595-596-597-598-599-600-601-602-603-604-605-606-607-608-609-610-611-612-613-614-615-616-617-618-619-620-621-622-623-624-625-626-627-628-629-630-631-632-633-634-635-636-637-638-639-640-641-642-643-644-645-646-647-648-649-650-651-652-653-654-655-656-657-658-659-660-661-662-663-664-665-666-667-668-669-670-671-672-673-674-675-676-677-678-679-680-681-682-683-684-685-686-687-688-689-690-691-692-693-694-695-696-697-698-699-700-701-702-703-704-705-706-707-708-709-710-711-712-713-714-715-716-717-718-719-720-721-722-723-724-725-726-727-728-729-730-731-732-733-734-735-736-737-738-739-740-741-742-743-744-745-746-747-748-749-750-751-752-753-754-755-756-757-758-759-760-761-762-763-764-765-766-767-768-769-770-771-772-773-774-775-776-777-778-779-780-781-782-783-784-785-786-787-788-789-790-791-792-793-794-795-796-797-798-799-800-801-802-803-804-805-806-807-808-809-810-811-812-813-814-815-816-817-818-819-820-821-822-823-824-825-826-827-828-829-830-831-832-833-834-835-836-837-838-839-840-841-842-843-844-845-846-847-848-849-850-851-852-853-854-855-856-857-858-859-860-861-862-863-864-865-866-867-868-869-870-871-872-873-874-875-876-877-878-879-880-881-882-883-884-885-886-887-888-889-890-891-892-893-894-895-896-897-898-899-900-901-902-903-904-905-906-907-908-909-910-911-912-913-914-915-916-917-918-919-920-921-922-923-924-925-926-927-928-929-930-931-932-933-934-935-936-937-938-939-940-941-942-943-944-945-946-947-948-949-950-951-952-953-954-955-956-957-958-959-960-961-962-963-964-965-966-967-968-969-970-971-972-973-974-975-976-977-978-979-980-981-982-983-984-985-986-987-988-989-990-991-992-993-994-995-996-997-998-999-1000-1001-1002-1003-1004-1005-1006-1007-1008-1009-1010-1011-1012-1013-1014-1015-1016-1017-1018-1019-1020-1021-1022-1023-1024-1025-1026-1027-1028-1029-1030-1031-1032-1033-1034-1035-1036-1037-1038-1039-1040-1041-1042-1043-1044-1045-1046-1047-1048-1049-1050-1051-1052-1053-1054-1055-1056-1057-1058-1059-1060-1061-1062-1063-1064-1065-1066-1067-1068-1069-1070-1071-1072-1073-1074-1075-1076-1077-1078-1079-1080-1081-1082-1083-1084-1085-1086-1087-1088-1089-1090-1091-1092-1093-1094-1095-1096-1097-1098-1099-1100-1101-1102-1103-1104-1105-1106-1107-1108-1109-1110-1111-1112-1113-1114-1115-1116-1117-1118-1119-1120-1121-1122-1123-1124-1125-1126-1127-1128-1129-1130-1131-1132-1133-1134-1135-1136-1137-1138-1139-1140-1141-1142-1143-1144-1145-1146-1147-1148-1149-1150-1151-1152-1153-1154-1155-1156-1157-1158-1159-1160-1161-1162-1163-1164-1165-1166-1167-1168-1169-1170-1171-1172-1173-1174-1175-1176-1177-1178-1179-1180-1181-1182-1183-1184-1185-1186-1187-1188-1189-1190-1191-1192-1193-1194-1195-1196-1197-1198-1199-1200-1201-1202-1203-1204-1205-1206-1207-1208-1209-1210-1211-1212-1213-1214-1215-1216-1217-1218-1219-1220-1221-1222-1223-1224-1225-1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Dauids proclaims message to strike rivals with dread

Matt Dickinson in Turin finds a tormented midfielder player finally at peace with himself

There are so many tales of brawling with strangers, insulting journalists, feuding with coaches and generally wreaking havoc that it is easy to forget just how wonderfully talented Edgar Davids is. Perhaps that is why he reminds the world at every opportunity.

"It is an honour to play with Zidane," the Dutchman said recently. "But then he feels the same about me." Indeed, anyone who has spent five minutes with him has a different story of his breathtaking conceit. "My name is Edgar Davids," he told a baffled Richard Kraaijenburg, the tennis player, years ago in an Amsterdam bar, "and you'll be hearing more from me." But he has the ability to match the ego.

While Zidane prompted well-deserved paeans for his performance on one leg at Old Trafford in the European Cup semi-final, first leg, it was Davids who was the dynamo for Juventus. A midfield colossus at his present peak of form, he is equipped with the pace of a sprinter, the physique of a middleweight boxer, the stamina of a marathon runner and a left foot that most footballers would kill for. As for what goes on inside his head, no one knows.

Until his move to Juventus two years ago, his mood swings were as violent as his tackles. He did not play for his country for two years after telling Guus Hiddink, the Holland coach, during Euro 96 that he had his head shoved up other players' backsides, while his transfer to AC Milan from Ajax, with whom he won the European Cup in 1995 and lost in the final in 1996, threatened to push a tempestuous man over the edge.

When two hoodlums made the mistake of trying to mug him at a set of traffic lights in Milan, he leapt out of his Porsche and gave the pair of them a good hiding — and while he won that little fight, he was losing the battle with his own explosive temper that was not helped by a broken leg.

"Going to Milan was a mistake," Davids, 26, said, "and I don't like to talk about my experiences there. It was a bad time, the most bitter period of my career at club level and like my feelings of despair at Euro

him to Internazionale this summer, but he questions why he should leave the club "that has finally made me fulfilled" and with whom he is hoping to play his fourth European Cup final in five years.

His football is flourishing, his rage is calmed, but his superiority complex remains wonderfully intact, as he proved in dismissing Beckham, Giggs and Keane with typical disdain. "Manchester United are supposed to have the best midfield in Europe," he said, "but we had the better of them at Old Trafford. We were like a steam train running over them. I have no fears of them any more. I want to get at them again. The higher the stakes, the tougher the fight, the better overall feeling I get. I can produce. I am a winner."

He will be a winner tomorrow unless the United camp work out a better strategy than in the first leg, when Davids and Deschamps ran the game because Keane was preoccupied by the deep-lying Zidane. The Irishman can be expected to push forward more tomorrow, which will ensure some midfield sparks.

"You English have this obsession with a warrior's spirit," Davids said. "Our coach reminds us every day that Ferguson's team will not give up until the last seconds in Turin. He will fire them out, make sure they come at us like madmen. It will be tough, but we know what to expect."

Alex Ferguson, the United manager, has talked of his team being ready to eat people, but in Davids, whose nicknames vary from the pit bull to the piranha, Juventus have a footballer who will readily bite back. Do not watch it alone.

"It would be foolhardy to say that he has mellowed entirely"

96. But I tried to use it all in a positive manner and it has allowed me to mature and change as a person. It told me that being a world-class footballer is about handling yourself at all times."

It would be foolhardy to say that Davids has mellowed entirely, but there are signs at least that he has conquered some of his demons. Now vice-captain of his country, he appears to have found, in Turin, a city in which he enjoys the pace of life and, in Juventus, a team that he feels is worthy of his skills. Marcello Lippi is rumoured to want to take



Shouting the odds: Davids has displayed the skills with Juventus to match his bullish character

Trouble and strife dogs Zidane's preparation

By Matt Dickinson and Stephen Wood

ZINEDINE ZIDANE'S hopes of leaving Juventus this summer appeared to have improved considerably yesterday after an extraordinary outburst from Gianni Agnelli, the club's owner, in which the multi-millionaire accused Zidane of being under the thumb. It would, at least, explain Zidane's expanding bald spot.

The timing of Agnelli's attack is baffling, given that Zidane is vital to Juventus's hopes of beating Manchester United tomorrow in the European Cup semi-final second leg, but he appears to have lost patience with the France international, who has admitted that his wife wants to move to a city by the sea.

Juventus will have no shortage of offers for Zidane, 26, who has three years left on his contract and would cost at least £18 million, but Agnelli is bitter nonetheless. "Zidane is not suffering from homesickness, he is suffering because he is under the control of his wife," he said. "I took him aside and asked him: 'Who is the boss you or your wife?' He told me that, since they have had two sons, his wife was in charge."

Juventus have a history of selling players at their peak and they are unlikely to keep Zidane against his wishes. Alessandro Del Piero, 24, who is absent with a long-term injury, is also expected to depart. Agnelli hinted yesterday that Del Piero might follow Lippi, the former Juventus coach, to Internazionale.

It is probably wishful thinking for United to hope that the row between Zidane and his club will detract from his performance tomorrow night. United must score in Turin after the 1-1 draw in the first leg and Alex Ferguson, the manager, is hopeful that Ryan Giggs will recover from his injury in time to play. Giggs is still struggling with the ankle problem that he sustained last Wednesday, towards the end of United's FA Cup semi-final victory over Arsenal at Villa Park. The Wales international has not trained properly since, but he was due to fly out to Turin with the rest of the United party this morning.

Gullit bans Cup talk

By George Caulkin

IT HAS long been assumed that the monochrome similarity between the club's shirts and a feathered vertebrate is the reason for Newcastle United's traditional nickname. Once, perhaps, but no longer. Since Ruud Gullit replaced Kenny Dalglish as the Newcastle manager last autumn, the magpie has become an increasingly appropriate mascot.

Superstition is a familiar friend to sportsman, but it has emerged that Gullit has taken precaution to another level. After bemoaning a club "curse", asking a priest to bless St James' Park and insisting that his side sport lucky white socks, Gullit has forbidden his players, ahead of the final against Manchester United next month, from talking part in promotional work involving the FA Cup trophy.

Axa, the sponsors of the com-

petition, had arranged a photo session with Robert Lee, the former Newcastle captain, six children representing the *Kids in the Community* programme and the same famous item of silverware Gullit won when at Chelsea two years ago. The three groups assembling



Gullit: superstition

bled at the County Durham training ground of the club yesterday, only to be turned away by one irate Dutchman. "We take the FA Cup all over the country and most people love to get their hands on it," Laurie Good, director of the firm that provides security for the trophy, said. "It was thought that to touch it would bring good luck. Superstition obviously comes into it as the Cup Final approaches, but I have never come across anything like this before."

Newcastle supporters are fast growing used to it. Gullit was pictured munching on a crucifix during the semi-final victory over Tottenham Hotspur. For Lee, the losing skipper in the final last year, the incident yesterday was a further setback. "I didn't touch the Cup last year either," he said. "I didn't get the chance."

FOOTBALL IN BRIEF

John Hendrie has been dismissed as manager of Barnsley after less than a year in charge. Eric Winstanley has been installed as caretaker manager, with Peter Shirliff as his assistant, while the club, which is sixteenth in the Nationwide League first division, searches for a replacement.

The Football Association risked a charge of acting improperly yesterday when it announced that more than 2,000 children from 203 nations would receive an expenses-paid trip to see the 2006 World Cup, provided that England wins the vote to host the tournament. Sir Bobby Charlton, who is working to bring the World Cup to England, said: "We hope it is well received because it is an honour to try to give something back to the game."

Karlheinz Riedle, the Liverpool striker, has agreed to stay at Anfield for one more season. The German international was preparing to play in the German League, but has had a change of heart.

Carsten Fredgaard, 22, the Danish midfielder player, has completed a £1.8 million transfer to Sunderland, the first division champions.

Graeme Souness, the former Rangers and Liverpool manager, has been dismissed by Benfica and will be replaced by Jupp Heynckes, the German coach, at the end of the season. Souness, 45, who became coach of the club 18 months ago, said that he bore no ill-will towards the club.

Marco Delvecchio, the AS Roma striker, has discussed moving to Chelsea with Gianluca Vialli, the player-manager. Vialli is said to be keen on signing Delvecchio, 26, but believes that Roma's asking price is too high.

O'Neil earns recall

By Kevin McCarrar

Brown is used to unfavourable working conditions. After the 2-1 defeat by the Czech Republic in the European championship tie at Celtic Park, the manager has to accelerate his redevelopment of the side. With that purpose in mind, he has shunned some players who would normally merit selection.

Thus Colin Calderwood, who has revived Aston Villa since his move from Tottenham Hotspur, has not been restored to the party. "I was tempted," Brown said, "and if we had been playing for three points next week, I would have picked him." Instead, the place has gone to Brian O'Neil, 26, whose one cap came against Australia in 1996.

O'Neil was once considered to be a player of high promise,

but injury and doubts over his best position placed an element of instability at the core of his career. With Vili Wolfsburg, however, he has settled into a man-marking role.

Don Hutchison should make his debut in attack, where he will probably be partnered by Billy Dodds. The need for renovation in the forward line is great. With 22 goals from 134 international appearances, Lothar Matthäus, of Germany, has scored ten times more than the entire Scotland squad combined.

SCOTLAND: T Boyd (Celtic), C Barclay (Celtic), C Davidson (Blackburn Rovers), W Dodds (Aberdeen), R Douglas (Dundee), I Durrant (Middlesbrough), M Elliott (Leicester City), S Gensell (Aberdeen), C Hendry (Preston), O Hopkin (Leeds United), Don Hutchison (Everton), E Jags (Aberdeen), A Johnston (Dundee), P Lafferty (Celtic), N McCann (Preston), J McNamee (Celtic), A Mann (St Johnstone), B O'Neil (Widow), R Paterson (Aberdeen), J McMillan (Dundee), N Sullivan (Widow), D Weir (Heart of Midlothian), R Winters (Aberdeen), D Whyte (Aberdeen).

TODAY'S FIXTURES

FOOTBALL

Kick-off 7.30 unless stated

UEFA Cup Semi-finals, second legs

Barcelona (0) v Marseille (1) (8.30)

Roma (3) v Atletico Madrid (1) (8.30)

FA Cup Final

Charlton v Tottenham (7.45)

Nationwide League First division

Birmingham v Oxford (7.45)

Gillingham v Sheffield (7.45)

Grimsby v Stockport (7.45)

Leeds v Bolton (7.45)

Port Vale v Walsall (7.45)

Second division

Chesham v Bristol Rovers (7.45)

Northampton v Wigan (7.45)

North County v Macclesfield (7.45)

Preston v Walsall (7.45)

Third division

Darlington v Exeter (7.45)

Hullik v Southport (7.45)

Stroud v Rotherham (7.45)

Nationwide Conference

Chesham v Forest Green (7.45)

Leek v Welling (7.45)

Rushden v O'Keefe (7.45)

Scottish League

Dundee Utd v St Johnstone (7.45)

ENDSLEIGH CHALLENGE TROPHY: Final, first legs: Farnborough v Doncaster (7.45)

DR MARTENS LEAGUE: Premier division: Barn City v Bolton (7.45), Cambridge City v Weymouth (7.45), Redwings v Abingdon (7.45), Tarnworth v Crawley South-

FOOTBALL

Kick-off 7.30 unless stated

UEFA Cup Semi-finals, second legs

Barcelona (0) v Marseille (1) (8.30)

Roma (3) v Atletico Madrid (1) (8.30)

FA Cup Final

Charlton v Tottenham (7.45)

Nationwide League First division

Birmingham v Oxford (7.45)

Gillingham v Sheffield (7.45)

Grimsby v Stockport (7.45)

Leeds v Bolton (7.45)

Port Vale v Walsall (7.45)

Second division

Chesham v Bristol Rovers (7.45)

Northampton v Wigan (7.45)

North County v Macclesfield (7.45)

Preston v Walsall (7.45)

Third division

Darlington v Exeter (7.45)

Hullik v Southport (7.45)

Stroud v Rotherham (7.45)

Nationwide Conference

Chesham v Forest Green (7.45)

Leek v Welling (7.45)

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FOR THE RECORD

AMERICAN FOOTBALL

NFL EUROPE: Scotland: Clydesdale 21

Rhein Fire 20

BASEBALL

AMERICAN LEAGUE: Boston 1 Tampa

Bay 5, Cleveland 3 Minnesota 2 Detroit 5

New York Yankees 1 Toronto 8 Baltimore 0

Kansas City 5 Chicago White Sox 7, Pittsburgh 2 Texas 5

NATIONAL LEAGUE: Cincinnati 2 Philadelphia 7 Florida 2 New York

Mets 2 Montreal 1 Chicago Cubs 5 Milwaukee 5

St Louis Cardinals 1 Houston 8 St Louis 4, Colorado 5 Atlanta 20 Arizona 12 San Francisco 3

San Diego 4 Los Angeles 3

BASKETBALL

NATIONAL ASSOCIATION (NBA): New

Jersey 86 Philadelphia 79 Washington 80

Boston 101 Orlando 88 Detroit 81 Phoenix

99 Seattle 53 Vancouver 86 Golden State 30

Memphis 82 Indiana 79 San Antonio 86

Houston 82 Chicago 79 Milwaukee 77, Minnesota 75 Utah 97 Los Angeles 101 Denver 103

CRICKET

One-day international

West Indies v Australia

PORT OF SPAIN (Australia won toss) Aus-

tralia beat West Indies by 20 runs

AUSTRALIA

A C Gidycz 100 v Walsh 28

M C Waugh b Ambrose 19

R T Parnell c Jacobs b Perry 12

O S Langer b Ambrose 12

S R Waugh b b O'Brien 16

AMERICAN FOOTBALL

NFL EUROPE: Scotland: Clydesdale 21

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AMERICAN LEAGUE: Boston 1 Tampa

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NATIONAL LEAGUE: Cincinnati 2 Philadelphia 7 Florida 2 New York

Mets 2 Montreal 1 Chicago Cubs 5 Milwaukee 5

St Louis Cardinals 1 Houston 8 St Louis 4, Colorado 5 Atlanta 20 Arizona 12 San Francisco 3

San Diego 4 Los Angeles 3

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Jersey 86 Philadelphia 79 Washington 80

Boston 101 Orlando 88 Detroit 81 Phoenix

99 Seattle 53 Vancouver 86 Golden State 30

Memphis 82 Indiana 79 San Antonio 86

Houston 82 Chicago 79 Milwaukee 77, Minnesota 75 Utah 97 Los Angeles 101 Denver 103

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A C Gidycz 100 v Walsh 28

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R T Parnell c Jacobs b Perry 12

O S Langer b Ambrose 12

S R Waugh b b O'Brien 16

HOCKEY

COUNTRY CHAMPIONSHIP: Men: Pool

winners: A division: Surrey (at Lloyds

Bank), Cheshire (at Canoco), Sussex (at

East Grinstead), Yorkshire (at Doncaster), B

division: Northamptonshire (at Kettering),

Cheshire (at Lymm), Norfolk (at King's Lynn),

RAF (at RAF Halton)

ICE HOCKEY

NATIONAL LEAGUE (NHL): Colorado 2

APRIL 20 1999
Trouble and
strife dogs
Zidane's
preparation

مكنا من الأصل



THE TIMES Fantasy League Cricket World Cup

In association with

Select your team for
the chance to win a
VIP cricket trip to
South Africa plus
£38,000 of Emirates
flights to be won

THE FOLLOWING PLAYERS

Columns show: code, name, country, one day
internationals, runs and wickets up to April 17

BATSMEN					
101	Mark Waugh	AUS	177	6187	80
102	Michael Bevan	AUS	100	3348	30
103	Ricky Ponting	AUS	69	2515	1
104	Darren Lehmann	AUS	41	1278	6
105	Samuel Martyn	AUS	33	629	1
106	Akram Khan	BAN	28	818	0
107	Shahvir Hussain	BAN	10	214	0
108	Mehrab Hossain	BAN	5	207	0
109	Faruk Ahmed	BAN	5	89	0
110	Prasanna Hick	ENG	91	3112	21
111	Nail Feroz	ENG	70	2035	2
112	Graham Thorpe	ENG	48	1661	0
113	Nick Knight	ENG	44	1619	0
114	Nasser Hussain	ENG	28	550	0
115	Mohammad Azharuddin	IND	315	8949	12
116	Sachin Tendulkar	IND	211	7801	76
117	Ajay Jadeja	IND	184	4367	19
118	Sourav Ganguly	IND	99	3500	32
119	Rahul Dravid	IND	80	2367	1
120	Amay Khursale	IND	4	71	0
121	Sadegopan Ramesh	IND	7	189	0
122	Steve Tikolo	KEN	25	688	17
123	Hitesh Modi	KEN	25	833	0
124	Deepak Chudasama	KEN	19	432	0
125	Alpesh Vadar	KEN	11	102	0
126	Ravindra Shah	KEN	8	279	0
127	Sandip Gupta	KEN	7	119	0
128	Stephen Fleming	NZL	100	2848	1
129	Craig McMillan	NZL	38	911	16
130	Roger Twose	NZL	38	969	4
131	Matthew Horne	NZL	38	841	1
132	Saim Malik	PAK	279	7150	89
133	Ijaz Ahmed	PAK	226	5988	5
134	Inzamam-ul-Haq	PAK	182	5967	2
135	Saeed Anwar	PAK	170	6172	6
136	Yousuf Youhana	PAK	20	576	0
137	Wajidullah Westi	PAK	3	88	0
138	Jonny Rhodes	SAF	151	3572	3
139	Daryl Cullinan	SAF	113	3414	5
140	Gary Kirsten	SAF	103	3815	0
141	Herschelle Gibbs	SAF	27	806	0
142	Dale Benkenstein	SAF	10	194	0
143	George Salmon	SCO	9	253	0
144	Ian Philip	SCO	8	205	0
145	Mike Smith	SCO	8	161	0
146	Bruce Patterson	SCO	0	0	0
147	Arjuna Ranatunga	SRI	283	7295	79
148	Aravinda De Silva	SRI	253	7865	83
149	Roshan Mahanama	SRI	208	5026	0
150	Hashan Tillakaratne	SRI	180	3439	8
151	Marvin Atapattu	SRI	88	2022	0
152	Mahela Jayawardene	SRI	19	480	1
153	Brian Lara	WIN	140	5823	2
154	Keith Arthurton	WIN	101	1882	41
155	Jimmy Adams	WIN	77	1190	22
156	Shivnarine Chanderpaul	WIN	63	1916	12
157	Stuart Williams	WIN	48	1531	1
158	Shawin Campbell	WIN	41	1013	0
159	Alistair Campbell	ZIM	29	2483	3
160	Murray Goodwin	ZIM	31	846	3
161	Stuart Carls	ZIM	12	208	0

WICKETKEEPERS					
201	Adam Gilchrist	AUS	54	1722	0
202	Khaled Mashud	BAN	20	155	0
203	Jahangir Alam	BAN	3	4	0
204	Alec Stewart	ENG	120	3253	0
205	Nayan Mongia	IND	132	1222	0
206	Kennedy Osoano	KEN	25	745	0
207	Adam Parore	NZL	114	2670	0
208	Moin Khan	PAK	129	1895	0
209	Mark Boucher	SAF	30	188	0
210	Alco Davies	SCO	8	74	0
211	Ramesh Kaluwitharana	SRI	112	1930	0
212	Ridley Jacobs	WIN	19	103	0
213	Andy Flower	ZIM	105	3197	0

ALL-ROUNDERS					
301	Steve Waugh	AUS	254	5718	186
302	Tom Moody	AUS	59	1015	37
303	Shane Lee	AUS	19	219	16
304	Aminul Islam	BAN	28	588	5
305	Khaled Mahmud	BAN	11	188	1
306	Naimur Rahman	BAN	11	167	5
307	Neyamur Rashid	BAN	1	4	1
308	Adam Hoolioake	ENG	32	600	31
309	Mark Ealham	ENG	34	441	36
310	Vince Wells	ENG	9	141	8
311	Ian Austin	ENG	7	34	0
312	Andrew Flintoff	ENG	4	85	5
313	Rubén Singh	IND	30	1338	46
314	Maurice Odumbe	KEN	25	593	19
315	Thomas Osoano	KEN	24	275	20
316	Tony Sui	KEN	13	143	0
317	Jimmy Kamande	KEN	0	0	0
318	Chris Harris	NZL	127	2316	121
319	Chris Cairns	NZL	101	2340	93
320	Nathan Aspin	NZL	82	2768	54
321	Wasim Akram	PAK	265	6781	37
322	Shahid Afridi	PAK	82	1812	57
323	Azhar Mahmood	PAK	60	606	53
324	Hansie Cronje	SAF	159	4825	101
325	Shaun Pollock	SAF	70	2005	103
326	Jacques Kallis	SAF	55	2129	37
327	Lance Klusener	SAF	53	1307	73
328	Derek Coorens	SAF	24	243	15
329	Geg Williamson	SCO	9	171	10
330	Mike Alington	SCO	5	77	7
331	Iain Stanger	SCO	0	0	0
332	Gavin Hamilton	SCO	0	0	0
333	Senath Jayasuriya	SRI	178	4672	152
334	Upul Chandana	SRI	50	539	47
335	Chandika Hathurusinghe	SRI	35	669	14
336	Carl Hooper	WIN	179	4573	162
337	Phil Simmons	WIN	138	3605	76
338	Henderson Bryan	WIN	3	8	4
339	Grant Flower	ZIM	92	3080	41
340	Paul Strang	ZIM	72	855	78
341	Guy Whittall	ZIM	72	1509	49
342	Ned Johnson	ZIM	14	500	9
343	Dirk Viljoen	ZIM	12	148	6

BOWLERS					
401	Shane Warne	AUS	111	528	174
402	Glenn McGrath	AUS	86	49	122
403	Paul Reffel	AUS	85	502	99
404	Darren Fleming	AUS	47	32	78
405	Adam Dale	AUS	20	164	22
406	Brandon Julian	AUS	20	164	22
407	Hosibul Hussain	BAN	20	122	22
408	Mohammad Rafique	BAN	16	237	15
409	Enamul Haque	BAN	18	91	7
410	Shahidul Islam	BAN	8	21	10
411	Mansurul Alam	BAN	1	1	1
412	Darren Gough	ENG	60	300	97
413	Robert Croft	ENG	42	287	40
414	Angus Fraser	ENG	89	123	48
415	Alan Mullally	ENG	24	133	27
416	Ant Kumble	IND	167	531	224
417	Javagal Srinath	IND	181	878	222
418	Venkatesh Prasad	IND	111	143	134
419	Ajit Agarkar	IND	32	215	68
420	Debashish Mohanty	IND	20	9	20
421	Nichil Chopra	IND	14	97	10
422	Asif Karim	KEN	25	167	23
423	Martin Sui	KEN	23	48	17
424	Mohammad Sheikh	KEN	15	35	17
425	Joseph Angara	KEN	4	8	2
426	Gavin Larsen	NZL	113	599	107
427	Dion Nash	NZL	58	435	47
428	Simon Doull	NZL	40	172	34
429	Daniel Vettori	NZL	39	189	27
430	Geoff Allott	NZL	13	14	23
431	Matthew Hart	NZL	11	49	13
432	Carl Bunton	NZL	3	8	0
433	Waqar Younis	PAK	172	537	283
434	Mashtaq Ahmed	PAK	130	343	144
435	Saqibain Mushtaq	PAK	98	469	187
436	Abdul Razzaq	PAK	14	106	14
437	Shoaib Akhtar	PAK	15	52	27
438	Alian Donald	SAF	112	73	190
439	Nicky Boje	SAF	18	74	17
440	Steve EwORTH	SAF	15	15	20
441	Makhaya Ntini	SAF	1	0	2
442	Keith Shanderson	SCO	4	13	12
443	John Blair	SCO	4	13	7
444	James Brinkley	SCO	0	0	0
445	Asim Butt	SCO	0	0	0
446	Nick Dyer	SCO	0	0	0
447	Peter Steinhil	SCO	0	0	0
448	Muttiah Muralitharan	SRI	110	151	151
449	Pran'ya Wickramasinghe	SRI	110	236	87
450	Chaminda Vaas	SRI	107	506	135
451	Ruman Kelpage	SRI	85	831	73
452	Eric Upshantha	SRI	40	13	4
453	Courney Walsh	WIN	188	294	204
454	Curly Ambrose	WIN	159	611	210
455	Mervyn Dillon	WIN	12	18	14
456	Reon King	WIN	10	38	11
457	Wahmiah Perry	WIN	2	2	2
458	Heath Streak	ZIM	73	808	84
459	Erdio Brindas	ZIM	66	383	69
460	Andrew Whittall	ZIM	44	140	38
461	Andrew Huckle	ZIM	16	9	6
462	Mpumelo Mbangwa	ZIM	15	24	7
463	Henry Olonga	ZIM	7	8	8

THE TIMES



fantasy
league
Cricket World Cup

Enter by May 1 and you could win of 50
pairs of tickets to World Cup 99 games and
an EA Sports Cricket World Cup game for
PC in our incentive prize draw

Enter our new Fantasy League Cricket World Cup
competition, in association with Emirates, for the
chance to win a one-week VIP trip for two to all
five days of the South Africa v England first Test
at Johannesburg, November 25-29. Plus there
are £38,000 of Emirates flights to be won. Simply
select a team comprising four batsmen, four
bowlers, two all-rounders and one wicketkeeper
from the list, right. You can only choose up to
two players from any one national team. Details
of how to make transfers are below, right. Full
terms and conditions appeared on Saturday and
in The Sunday Times and are available on request



- ### THE PRIZES
- First prize: a VIP trip for two to South Africa to see the Johannesburg test and £10,000 of Emirates air tickets
 - Second prize: £5,000 Emirates air tickets
 - Third prize: £2,000 Emirates air tickets
 - Winner of group matches stage: two Emirates business class tickets to Nairobi or Johannesburg
 - Winner of Super Six stage: two Emirates business class tickets to Bangkok or Kuala Lumpur
 - Winner of the semi-finals and final stage: two Emirates business class tickets to Melbourne or Hong Kong

THE TIMES FANTASY LEAGUE CRICKET WORLD CUP ENTRY FORM

Complete this form and post it to: The Times Fantasy League Cricket World Cup, Abacus House, Dudley St, Luton LU1 1ZZ, UK and RoI readers must enclose a cheque for £2.50 Sterling (£10 ex UK & RoI), payable to Times Newspapers Ltd, or give their credit/debit card details. To qualify for the start of the Cricket World Cup entries must be received by first post Thursday May 13, 1999

Title Initials Surname
Address
Postcode Day Tel
LUCKY DIP if you wish to have your team selected by us at random, tick box ☐

A MAXIMUM OF TWO PLAYERS FROM ANY ONE COUNTRY ALLOWED

CODE	PLAYER'S NAME	CODE	PLAYER'S NAME
BATSMEN (Select 4)		BOWLERS (Select 4)	
<input type="checkbox"/>		<input type="checkbox"/>	
<input type="checkbox"/>		<input type="checkbox"/>	
<input type="checkbox"/>		<input type="checkbox"/>	
<input type="checkbox"/>		<input type="checkbox"/>	
ALL-ROUNDERS (Select 2)		WICKETKEEPER (Select 1 only)	
<input type="checkbox"/>		<input type="checkbox"/>	
<input type="checkbox"/>			

Please indicate your preferred airline for business travel to these destinations and indicate a reason for your choice: Bangkok
Hong Kong
Johannesburg
Melbourne

Credit Card Payment Card number:
Expiry date: MasterCard ☐ Visa ☐

Name on card:
Supply address of registered cardholder on a separate sheet of paper if different from that above
Signature:
1. Do you wish to enter this competition? Yes ☐ No ☐ How often? Weekly ☐ Monthly ☐ Quarterly ☐ Annually ☐ Don't know ☐

2. Which other National Daily Newspaper(s) do you buy at least once a week?
3. Which National Sunday Newspaper(s) do you buy at least once a month?
4. Which National Sunday Newspaper(s) do you buy at least once a month?
5. Which National Sunday Newspaper(s) do you buy at least once a month?

HOW TO ENTER YOUR FANTASY LEAGUE TEAM

Select a team of 11 players - four batsmen, four bowlers, two all-rounders and a wicketkeeper. A maximum of two players from any one country are allowed in your team at any time (see transfers below). TO ENTER BY PHONE call our 24-hour hotline 0640 67 88 96 (+44 870 901 4210 ex UK) and follow the instructions. 0640 calls cost 60p a minute, last about six minutes and must be made on a touch-tone DTMF phone. Give the name of your team (max 16 characters) and the three-digit codes of your 11 players. You will receive a PIN number so you can make transfers and check your scores. To qualify for the start of the tournament telephone entries must be made by 10am on Friday May 14. TO ENTER BY POST complete the entry form, left, and include a £2.50 sterling entry fee (£10 ex UK & RoI). To qualify for the start of the Cricket World Cup postal entries must arrive by Thursday May 13. All entrants will receive a confirmation letter by post, showing their team and PIN number, 7-10 days after their entry is received. You cannot make transfers until you receive your PIN

HOW YOUR FANTASY LEAGUE TEAM WILL SCORE POINTS

SCORING SYSTEM Every player in your team is awarded or deducted points for runs scored, wickets taken, catches and stumpings, as follows:


BATTING
Every 10 runs in an innings 1 pt
Every 50 runs in an innings 3 bonus pts
(eg A score of 50 will be awarded 5 points plus 3 bonus points: a total of 8 points)
Every player out for less than 5 runs (excl bowlers) -1 pt
Every player out for 0 runs (excl bowlers) -2 pts

BOWLING
For every wicket taken 2 pts
There are also bonus points awarded or lost according to Economy Rate (runs conceded per over ratio)
Bowlers can score bonus points for low economy rates and lose them for high ones. The economy rate is an indication of how good a bowler is at not letting batsmen score runs against him. So, by taking the number of runs scored by the opposition during a bowler's match overs and dividing them by the number of overs bowled, an economy rate is established. A low economy rate will gain you points while a high one will lose you points. A bowler must bowl a minimum of five overs to qualify.
Bowler with an economy rate of 3.00 runs or under 5 pts
Bowler with an economy rate of 3.01 runs to 4.00 runs 2 pts
Bowler with an economy rate of 4.01 runs to 5.00 runs 0 pts
Bowler with an economy rate of 5.01 runs to 6.00 runs -1 pt
Bowler with an economy rate of 6.01 runs or above -2 pts
(eg. A bowler taking 4 for 30 in 10 overs, an economy rate of 3.00 runs per over, will be awarded 5 points plus 5 bonus points a total of 13 points)

FIELDING
For every catch 1 pt For each stumping 2 pts

HOW TO MAKE TRANSFERS

Managers can make transfers to strengthen their teams. From now until the start of the tournament at 10am on May 14, you can make as many changes to your team as you like by calling the 24-hour transfer line on 0640 62 51 25 (+44 870 901 4296 ex UK) with your PIN to hand. Follow the instructions on the line. Your transfers must result in a new team in the correct format. From the start of the tournament until the start of the Super Six stage at 10am on June 4 you can make a further six team changes. After this you cannot make any further changes to your team. Changes made by 10am on any particular day will become active for matches from that day onwards. If changes are made after 10am then they will become active from the following day's matches



All information provided by Fantasy League Ltd ©
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Take note as the Big Apple bites back

One of the more depressing social phenomena of the past 20 years has been the absurd division between town and country, as if the one was on a different planet from the other. Such is the obsession with things rural that icons such as the Range Rover often get no closer to a four-wheel drive environment than a spattering from street cleaners.

The lightbulb of the city is long overdue. It may have begun in New York, which has never lacked for vibrancy and excitement but which tended to be the sort of place where Gucci on Fifth Avenue had become a convenience store; it was a convenient store for replacing the wallet you had just had stolen.

New York has cured many of its ills in the past few years by dint of tougher policing and other methods. The policing, at least the official version that the taxpayers support, has been well documented so last night the first part of a

new series, *The Pull of the City* (BBC2), concentrated on the other methods and on some of the less desirable consequences.

This was very much a personal view by the presenter, Professor Harvey Molotch of the LSE. The programme was something of a trip home for Molotch, who spent his student days in the city. The changes that he reported on may have some important lessons for London, subject of Wednesday's programme in the series.

However, there was an early health warning when an investment banker told Molotch: "Whatever I tell you today probably won't be the same tomorrow." True, but corporate America, and in particular Internet America, has played a huge role in making Manhattan livable again; which candidate for mayor of London will offer the same blueprint?

The programme piled up buzzwords as if they were bagels and

chief among them was "wealth with responsibility". This predicated a caring corporate sector and, on the New York model, involves "business improvement districts" in which corporate cash is used to improve the working and living environment.

Here, no corporation dusts trays. Instead, business pays for the street cleaning and the security. The presence of corporate security men produced Molotch's key caveat, which was that these atriums and air-conditioned malls are being cleared of "undesirables", which is basically people who do not "look right": vagrants, smokers, that sort of person.

Oh yes, and street traders. Over in Greenwich Village, where open-air trading still (just about) survives, a bookseller called Haskin Hasan said: "The sidewalk constitutes the last bastion of democratic

REVIEW



Peter Barnard

contact in New York City."

Swish toilers in the industries that have funded the clean-up take the view that a mugging is a democratic contact most of us can live without, but the sanitising of an environment has the same effect as the pasteurising of milk: it takes out the good bacteria along with the bad. With cities as with milk, we won't know if the price is worth paying until it is too late.

The best thriller of the year so far opened last night and concludes tonight, so watch part two if you missed part one. *Butterfly Collectors* (ITV) is from the same team that wrote and produced *Cracker*. It lacks some of the tautness of *Cracker* but it is a classy and clever piece of work, all the more so for starting off as if it is a routine police thriller.

Pete Postlethwaite as the police inspector McKewon, and Jamie Draven as the 17-year-old Dex are terrific, totally convincing, separately and together. They meet when McKewon arrests Dex as a murder suspect but their unlikely relationship continues when McKewon learns that Dex is bringing up his younger brother and sister alone in a council house.

McKewon is disillusioned with police work, even to the extent of regarding a murder inquiry as scarcely worth the bother. "We spend months questioning pond

life, pretending to know that they know why he died, but they don't know, they'll make it up, because they're bored out of their skulls and they're flattered we asked."

Or the least of the cleverness in *Butterfly Collectors* is that the viewer often feels a step ahead of the detective. Surely McKewon is out on a limb? Surely Dex, who has built a beautiful garden behind his house, is too good to be true? Both of those assumptions are assisted near the end of part one when McKewon helps Dex to steal a shrub.

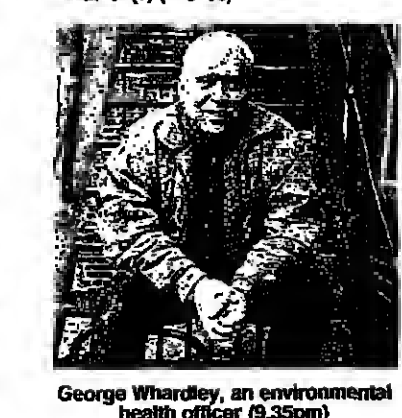
The writing (by Paul Abbott) has the crispness and world-weary touches of humour that characterised *Cracker* and Jean Stewart's direction maintains the pace without oversteering the detail, a trick that cannot be easy to pull off in a world where more often in television drama.

Of course the real life of the police is neither half as interesting nor half as complex, but I am still having trouble trying to dislike *Cop Shop* (ITV). I ought to hate this series about the policing of Gosport in Hampshire, even more so now that it has turned into a soppy yarn about coppers in love.

Yet there is something slightly odd about the programme. However, last night's episode was made by a 16-year-old car thief whose career was intimately related to the crime scene: when he was locked up, car thefts went down.

The lad, known as Billy (not his real name), did not always steal cars. On one occasion, needing to get to a court appearance, he stole a moped. We saw two policemen talking Billy on a tour of the town during which he admitted 21 other car thefts (with which he will not of course be charged), thus adorning up the crime figures. Car owners will be thrilled to hear that.

- 6.00am Business Breakfast** (56556)
7.00am BBC Breakfast News (192285)
9.00am News (192285)
9.45am Can't Cook, Won't Cook (TV) World Book Day (730865)
10.15am The Vanessa Show (12952038)
11.00am News (1522198)
11.05am City Hospital (1922827)
11.55am News (1522198)
12.00pm Going for a Song (8431317)
12.25pm Just a Minute (1522198)
1.00pm One O'Clock News (1522198)
1.30pm Regional News (1522198)
1.40pm Neighbours (1811001)
2.05pm Through the Keyhole (15134827)
2.30pm Snooker (7356158)
3.25pm Children's BBC: Playdays (8212198)
3.45pm Arthur (2209136) 4.10 *Rugrats* (1048020) 4.20 *Julia* (1048020) 4.30 *Harriet Hyde* (5050310) 4.45 *G Force* (7200643) 5.00 *Newsround* (2224440) 5.10 *Trading Places* (2000039)
5.30pm News (1522198)
5.35pm Neighbours (1811001)
6.00pm Six O'Clock News (1522198)
6.30pm Regional News (1522198)
7.00pm Holiday: Faster Your Seatbelt New series, David Gower and Rory McGrath get work experience at one of India's most prestigious hotels, the Taj Mahal in Mumbai (71152)
7.30pm EastEnders (1339)
8.00pm Animal Hospital More sick and injured animals are treated by the vets at the RSPCA's Harrow Hospital (192020)
8.30pm Choice: The Unseen Power of Animals Insight into the nature of time (1522198)
9.00pm Nine O'Clock News (1522198)
9.30pm Regional News (1522198)



George Whitley, an environmental health officer (9.35pm)

- 9.35pm Choice: A Life of Grime** New series exploring the work of environmental health officers (1522198)
10.05pm Crimewatch UK (1922198)
11.00pm The Thin Red Line (1922198)
11.30pm Crimewatch UK (1922198)
11.40pm In the Blink of an Eye (1922198) Drama in which a film-maker resolves to expose the wrongful convictions of her lover and a friend for the killing of two policemen. Directed by Mick Dickoff (1663576)
1.05am News (1522198)
1.10pm BBC News (1522198)

- 3.30pm Party Election Broadcast** (891117) 3.35 *Vote 99 - The Debate* (305759) 10.25 *Crimewatch UK* (1922198) 11.20 *A Life of Grime* (1922198) 11.40 *In the Blink of an Eye* (1922198) 11.50 *Crash* (1922198) 12.00 *Crash* (1922198) 12.10 *Crash* (1922198) 12.20 *Crash* (1922198) 12.30 *Crash* (1922198) 12.40 *Crash* (1922198) 12.50 *Crash* (1922198) 1.00 *Crash* (1922198) 1.10 *Crash* (1922198) 1.20 *Crash* (1922198) 1.30 *Crash* (1922198) 1.40 *Crash* (1922198) 1.50 *Crash* (1922198) 2.00 *Crash* (1922198) 2.10 *Crash* (1922198) 2.20 *Crash* (1922198) 2.30 *Crash* (1922198) 2.40 *Crash* (1922198) 2.50 *Crash* (1922198) 3.00 *Crash* (1922198) 3.10 *Crash* (1922198) 3.20 *Crash* (1922198) 3.30 *Crash* (1922198) 3.40 *Crash* (1922198) 3.50 *Crash* (1922198) 4.00 *Crash* (1922198) 4.10 *Crash* (1922198) 4.20 *Crash* (1922198) 4.30 *Crash* (1922198) 4.40 *Crash* (1922198) 4.50 *Crash* (1922198) 5.00 *Crash* (1922198) 5.10 *Crash* (1922198) 5.20 *Crash* (1922198) 5.30 *Crash* (1922198) 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LONDON MARATHON
The full list of finishers continues on pages 46, 47

SPORT

TUESDAY APRIL 20 1999

McRae loses his Focus with electrical problems in Spain



Wenger still keen on troubled striker

Fowler's folly fails to put off Arsenal

By Matt Dickinson

ROBBIE FOWLER'S lurch from one sorry episode to another could have a happy ending if Liverpool tire of his controversial antics. Arsenal remain interested purchasers and are hopeful that the Merseyside club may yet decide to wash their hands of the England striker and his troubles.

Fowler's latest appearance on the front pages followed an attack on him that left him with a broken nose. A man has been charged with assault after the incident in a Liverpool hotel in the early hours of Sunday morning and while there is no suggestion that Fowler was in any way to blame, he appears unable to evade scandal at present.

Fowler, 24, was hoping to keep his nose clean after a Football Association disciplinary hearing at which he was suspended for two matches for homosexual taunts at Graeme Le Saux and banned for four matches for a goal celebration in which he appeared to pretend to snort cocaine.

The FA, and his club, each fined him £32,000 — a week's wages — and, apart from possible appearances for Eng-

land, he will not play again this season.

Fowler signed a new five-year contract at Anfield only a few months ago, which appeared to have ended speculation that he might follow Steve McManaman out of the club this summer, but the succession of controversial incidents may persuade Liverpool to listen to offers.

One of those is almost certain to come from Highbury, where Arsène Wenger, the Arsenal manager, remains a

committed fan. Alex Ferguson, the Manchester United manager, is also a firm admirer, but there will be the problem of finding the £10 million that is the minimum price for Fowler and the player's loyalties to Merseyside would make a move along the M62 difficult.

That is not the case with Arsenal, who seem certain to spend heavily on a striker this summer. Nicolas Anelka's repeated complaints about the loneliness of life in London

have sparked interest from all over Europe and Arsenal expect him to depart sooner rather than later. Barcelona is a possible destination and Wenger could expect to recoup at least as many millions as Fowler would cost. It appears certain that he will test Liverpool's patience with the player.

A move may do Fowler, as well as Liverpool, some good. Gérard Houllier, the manager, is a fan, but he is about to embark on a rebuilding programme at Anfield and will need funds. The partnership of Fowler and Michael Owen, two small, predatory forwards, remains an unproven one.

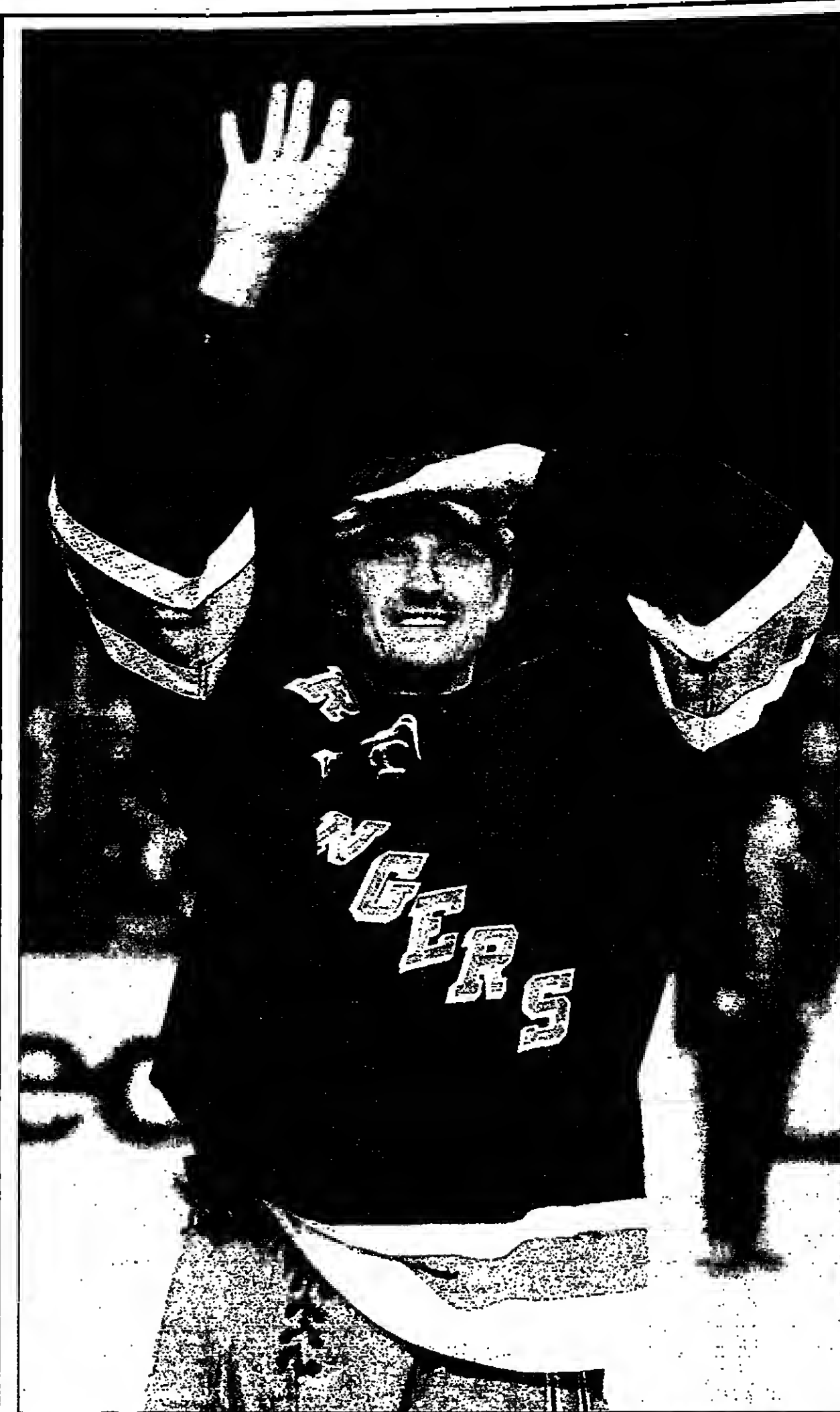
Fowler, who was raised in Toxteth, still has a huge loyalty to his home city and to the friends who have barely changed since childhood, but he could not be blamed now for wondering if a transfer might bring an upturn in his fortunes.

He has slipped behind Owen in the pecking order at Anfield, despite his own phenomenal record as a goalscorer, and he has had to change his game so that he can act more as a provider for his younger accomplice.

Liverpool would probably have been forced to sell him this summer if he had not renewed his contract because, with only one year remaining on his previous deal, they would not have risked him departing like McManaman on a free transfer.

Unless the team improves drastically in the coming months, Fowler may have some regrets in re-signing if Liverpool do decide to let matters calm down over the summer and keep him to his extended contract.

Highbury is a possible bolt-hole should he want to move from Merseyside, although there will be some who will question the wisdom of heading to the bright lights of London, given his present predicament.



End of an era: a tearful Gretzky shields his eyes as he waves goodbye to the fans at Madison Square Garden

Gretzky leaves everyone ice cold

Devlin Barrett

charts the emotional exit of a sporting great

IT HAS been on the lips of every sport fan in North America for the past week. Wayne Gretzky, at 38, is retiring from ice hockey. It cannot be true. It is true. It happened here in New York on Sunday, a thundering ovation inside Madison Square Garden to say goodbye to the greatest player the game has known.

The United States has now lost two of its finest sportsmen in a year. Gretzky and Michael Jordan. On Sunday, Jordan called Gretzky to give him some advice on life after the game, telling him to enjoy the send-off and to get excited about becoming a full-time dad. But there was also advice about the downside of hanging up the skates.

"Your golf game is not going to get better, so don't think that will help," Jordan told him. "It will probably get worse, because you've got more time."

Basketball and ice hockey fans will need time, too, time to recover. Jordan did things that no one else could; Gretzky saw things that no one else could. His final game for the New York Rangers, against Pittsburgh Penguins, proved one last time that whatever age and injury may have taken away, they have not touched his tear-stained eyes. After an emotional 20-minute pre-game ceremony to honour his career, Gretzky, known as "The Great One" since the age of 10, reminded everybody once again what made him so special.

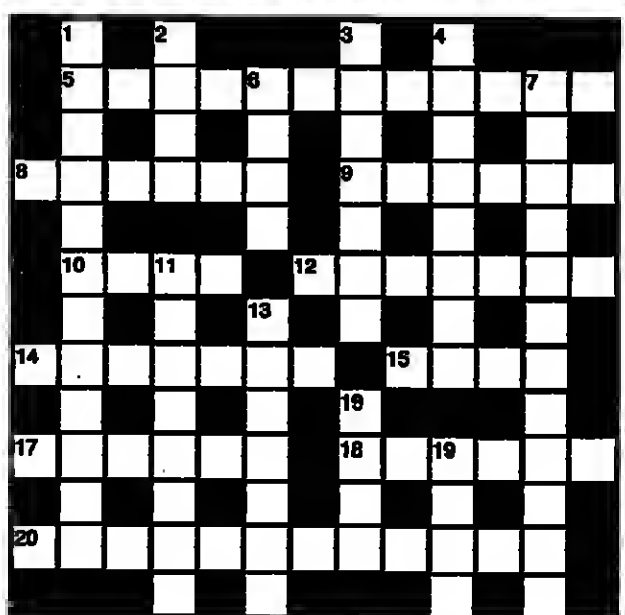
During his career, he shattered 61 ice hockey records — itself a record — and Paul Kariya, today's brightest young star, would have to play until he is 46 to equal Gretzky's tallies of 894 goals and 1,963 assists.

First Jordan, now Gretzky. For fans who live on either sport, the colours on the uniforms will never again be quite so bright. Gretzky, retired? It will be a long time before anyone here really believes it.



Fowler has continued to score goals despite the controversy

TIMES TWO CROSSWORD



No 1696

- ACROSS**
5 The skill of gardening (12)
8 High-spirited romp (6)
9 A hat: Svengali's subject (6)
10 Language of Pakistan (4)
12 Fabric hanging in folds (7)
14 Specially hire (eg aircraft) (7)
15 Sudden loud noise: right (on time) (4)
17 Its young fed on milk (6)
18 Fugitive from justice (6)
20 Habitual, almost automatic, trait (6,6)
- DOWN**
1 Main road (12)
2 Spoken (4)
3 A break (7)
4 Former Abyssinia (8)
6 Part of foot: small island (4)
7 Poet and J. Claudius author (6,6)
11 A National Park: a prison (8)
13 Gaelic social (7)
16 Duty list (4)
19 Ruffian (4)

SOLUTION TO NO 1695
ACROSS: 1 Bucolic 5 Super 8 Kudos 9 Vibrant 10 Without tears 12 Levity 14 Covert 17 Black and blue 21 Albania 22 Plant 23 Preen 24 East End
DOWN: 1 Bakewell 2 Cadet 3 Last out 4 Cavity 5 Sabre 6 Prairie 7 Rote 11 Antsted 13 Voluble 15 Oedipus 16 Savage 18 Canon 19 Leave 20 Rasp

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Wise escapes 'biting' penalty

By Russell Kempson

DENNIS WISE, the Chelsea captain, was perhaps due a change of fortune in a season blighted by personal controversy. He received it yesterday from Uefa, the European governing body of football, which decided that he had no case to answer for the alleged "biting" incident during Chelsea's Cup Winners' Cup semi-final, first leg against Real Mallorca at Stamford Bridge 12 days ago.

Wise became involved with Elena Marcelino, the Mallorca defender, and appeared to sink his teeth into Marcelino's shoulder. Although the unaffectionate gesture was not noticed by the referee, it was captured on television, replayed a number of times and subsequently reproduced in national newspapers. After it had been drawn to the attention of Uefa, he was charged with "improper conduct".

Although Wise vehemently proclaimed his innocence — "I did not bite him, I was

just gesturing to bite him," he said — a Uefa disciplinary committee met yesterday to consider his case. It concluded that a fine or suspension was not appropriate, but censured the fiery midfielder for his actions.

A Uefa spokesman said: "Sanctions can be imposed for incidents of misconduct not seen by the referee only if such conduct corresponds to gross unsportsmanlike behaviour. The incident must be so serious that failing to punish it would contradict general legal opinion."

"After reviewing the evidence, the disciplinary body felt that although the player's unsporting gesture warrants clear disapproval, there is no legal basis in Uefa's regulations for imposing a disciplinary sanction. The case was therefore dismissed."

Wise, who has been sent off four times and missed 15 matches because of suspension this season, can consider himself fortunate. Blaming the Uefa charge on a concerted media campaign, rather than questioning his lack of self-control, only sullies even further his much-tarnished reputation.

Whether he actually bit Marcelino or simply pretended to is almost irrelevant. It was a stupid, albeit instinctive, act from an experienced professional.

Gwyn Williams, the Chelsea assistant manager, described the verdict as "sensible", a predictable reaction from a club that fiercely protects its own and one that was probably tinged with relief.

Wise is now available for the second leg of the semi-final in Majorca on Thursday, with the tie finely balanced at 1-1, and his tenacious leadership — the more acceptable side of his character — will be needed.

Austin seeks cover from sponsor

By Nick Szczepanik



Austin has found a novel method of seeking backing

THESE days, publicity-hungry sportsmen and women will, it seems, do anything for a little coverage. Denise Austin, a beach volleyball player, hopes that as little coverage as possible will gain her maximum exposure.

The photograph of herself around which she has built her one-woman campaign for funding is a clear reference to a television advertisement for a well-known brand of German car, in which a female tourist guards her modesty with a strategically-placed placard reading "I don't play volleyball".

Austin, 30, is ranked No 1 in the United Kingdom in a sport that is now an Olympic event. Unlike Audrey Cooper and Mo Glover, the Great Britain representatives in the Atlanta Olympic Games, she has no world ranking and is desperately short of the funding that she requires to take part in overseas competition.

such as the World Series event in Canada in June and, with luck, the Sydney Olympics next year.

Part of the problem is a lack of publicity and she hopes that the photograph will put that right. "I've won every competition in Great Britain for the last two years," she said. "I've been undefeated, but I've never had a write-up."

The photograph was taken in her back garden in the North Devon village of Croyde, by her husband, Nick. Had he needed much persuading? "He's all for it," she said. "With beach volleyball, you have to use any form of publicity you can." And, some might say, women's costumes in such sports as volleyball are not exactly designed to leave much to the imagination in any case.

She needs £1,000 to get to Canada — "but I'd also have

to take time off work [she is a restaurant supervisor at Croyde Bay holiday village]. We're talking £15-20,000 to get to Sydney 2000." In case anyone accuses her of bare-faced cheek in demanding assistance, it is worth pointing out that she funded herself for three months' training in Brazil this winter with Monica Rodriguez, a silver medal-winner at Atlanta, and her coach.

If all goes well, Austin will be partnered in Canada, and thereafter, by Monique Oliver, who is based in the United States but is a British passport-holder. Vanessa Malone, Austin's regular partner, was not in a position to commit herself to the demands of international competition for which Austin had always hankered.

"I've always looked towards that, but I've never put myself in the position to do it," Austin said. "I've decided that it's now or never."

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